Disability Law Center Files Complaints Against Seven Wasatch Front Landlords
Alleging Discrimination Based on Source of Income

In December of 2016, the Disability Law Center’s Fair Housing Program filed complaints against five Utah County property managers alleging discrimination based on source of income. These complaints were the result of a three-month investigation into possible discrimination relating to tenants with housing assistance. The DLC also recently filed two client-based complaints against landlords in Salt Lake County on the same basis.

Source of income is a protected class under the Utah Fair Housing Act. This means that landlords cannot treat people differently on the basis of their receipt of government benefits, including housing or rental assistance. Landlords cannot deny housing to an individual receiving assistance, refuse to accept Section 8 vouchers, or charge a tenant more money based on the fact that they have housing assistance.

The DLC’s investigation was sparked by a call from a woman in Utah County who had been turned away from several properties on account of her Section 8 voucher. The DLC used fair housing testing to determine if discrimination was occurring. Fair housing testing is much like “secret shopper,” but with apartments and discrimination. Testers posing as apartment seekers were instructed to inquire about available units and disclose that they had a housing voucher. DLC filed four of the five complaints after the housing provider stated that they would not accept an applicant receiving housing assistance. At the fifth property, the housing provider made several statements discouraging the tester from renting there.

Housing discrimination based on source of income continues to be a problem here in Utah, and has a big impact on many vulnerable groups. People with disabilities compose a large percentage of housing voucher holders. This means that persons with mental illness, HIV/AIDS, or recovering from drug addiction may not be able to find a place to live if they have housing assistance. In addition, refugees and families at risk of homelessness often face difficulty finding a place to live due to discrimination based on their housing assistance or voucher.

Across the country, special interest groups representing landlords have been successful in removing source of income from the list of classes protected by state or local fair housing laws. Lobbyists for these groups argue that there is no need for protection because such discrimination doesn’t actually occur. “Unfortunately, our investigation reveals that this type of discrimination is all too common,” said Nick Jackson, a fair housing attorney at the DLC. “Being turned away from a rental unit because of one’s housing assistance is something that happens every day in Utah, and it often happens to the most vulnerable among us.”

The Fair Housing Program at the DLC provides services to people belonging to all protected classes throughout the state of Utah. The program assists individuals who have experienced housing discrimination, conducts fair housing testing, and provides education about housing rights to Utahns.
In 2016, the DLC filed 26 fair housing complaints against landlords alleging discrimination based on disability, source of income, familial status and sexual orientation.

The Disability Law Center (DLC) administers federally mandated protection and advocacy programs for people with disabilities in Utah. The DLC’s mission is to enforce and strengthen laws that protect the opportunities, choices and legal rights of Utahns with disabilities. Our services are available statewide and free of charge, regardless of income, legal status, language, or place of residence.

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