



**New York City Council Committee on General Welfare  
Hearing on Intro. 61**

**April 11, 2007**

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The Fair Housing Justice Center thanks the General Welfare Committee for this opportunity to testify in support of Intro. 61, which would prohibit housing providers from discriminating based on lawful source of income. We appreciate that the Committee is considering this legislation on April 11, the 39<sup>th</sup> anniversary of the passage of the federal Fair Housing Act.

The Fair Housing Justice Center fights housing discrimination in New York City and surrounding counties through a number of program activities. In response to housing discrimination complaints, we offer intake and fair housing counseling in multiple languages including Spanish and Mandarin; fair housing testing and investigations; and referrals to cooperating attorneys or administrative agencies. Our services are free of charge and made available without regard to income. In addition to assisting complainants with fair housing claims, our staff of experienced fair housing advocates provides support to attorneys, community-based organizations, and policymakers concerning fair housing legal issues.

Since opening in 2005, we have received hundreds of complaints from individuals and organizations alleging discrimination on the basis of characteristics protected under federal, state and local laws, including race, color, or national origin; mental or physical disability; sex (including sexual harassment); family status (presence of children under 18); and religion; age; sexual orientation and gender identity; and alienage/citizenship status.

In addition, we regularly receive complaints from families and individuals encountering housing providers who refuse to accept a wide range of benefits and subsidies that support low-income households – including Section 8 vouchers, disability payments, pension benefits, retirement income, housing subsidies to support children at risk of entering foster care, state and local housing programs, and more. Dozens of states and cities have passed legislation prohibiting such source of income discrimination, and we ask the New York City Council to join this movement to protect senior citizens, persons with disabilities, low-income households, and other vulnerable populations.

Hundreds of thousands of New Yorkers are at risk of source of income discrimination. 713,200 families, or 24% of New York City households, receive Social Security benefits. 353,000 households, or 12%, receive retirement income. Over 1 million households (14% of NYC residents over age 5) include persons with disabilities who currently or may receive Social Security Disability Insurance, and 192,000 residents (6%) receive Supplemental Security Income (SSI) for low-income disabled persons. Finally, approximately 104,000 New York City residents pay their rent with assistance from a Section 8 voucher. By discriminating against households who have sufficient income to pay their rent, but who do not earn traditional employment income, housing providers close off desperately-needed affordable housing options in New York City's tight housing market.

The Fair Housing Justice Center also believes that many housing providers use this loophole in civil rights protections to mask other forms of illegal discrimination. For example, landlords may claim that they do not accept government benefits or rental subsidies, when in fact they are refusing to rent to racial or ethnic minorities, families with children, people with disabilities, single mothers, and other protected groups. A testing study conducted in Chicago by the Lawyers' Committee for Better Housing found that source of income discrimination and race discrimination often go hand-in-hand. First, the study found that approximately 70% of landlords refused to accept Section 8 vouchers from white testers. In addition, the Lawyers' Committee found that the majority of housing providers who had agreed to accept vouchers from white testers then refused to accept vouchers from minority testers.

On April 11, 1968, one week after the assassination of Dr. Martin Luther King, Jr., the United States Congress finally succeeded in passing the federal Fair Housing Act. As we approach the 40<sup>th</sup> anniversary of these events, we ask the New York City Council to continue the tradition of strong civil rights protections by enacting Intro. 61 to add lawful source of income as a protected characteristic under the New York City Human Rights Law. Thank you.