



SECTION 8 VOUCHERS AND SOURCE OF INCOME DISCRIMINATION

Chicago's **Fair Housing Ordinance** prohibits discrimination against people who use a Section 8 Housing Choice Voucher as a source of income to support the rental or purchase of a housing unit in the City of Chicago. For example, it is a violation of the Fair Housing Ordinance to—

- Refuse to rent or sell to an otherwise qualified person because that person would use a Section 8 voucher to support the rent or purchase price.
- Refuse to cooperate with minor administrative requirements of the Section 8 voucher program, such as completing routine paperwork and allowing inspection of the property.
- Make any written communication expressing a limitation in the sale or rental of a housing unit based on source of income, such as “No Section 8,” “Not Section 8 approved,” or “Not set up for Section 8.”
- Engage in differential treatment in the price, terms, conditions, or privileges of tenancy based on use of a Section 8 voucher or any other source of income.

Violations of the Fair Housing Ordinance are punishable by—

- Fines up to \$500 per incident, paid to the City.
- Damages and attorney fees, paid to the complaining party.
- An injunction ordering specific actions to eliminate discriminatory practices.

The Fair Housing Ordinance applies to all housing units in Chicago, regardless of building size or owner occupancy.

A property owner or agent may apply reasonable tenant selection criteria and tenancy rules. However, rules and practices must treat all prospective and actual tenants equally, and may not disparately impact voucher holders without proof of business necessity. There is no requirement to hold a rental unit for a voucher holder if another qualified applicant is ready to rent.

A person who claims source of income discrimination or other prohibited discrimination in the sale or rental of housing in the City of Chicago may file a complaint at the Commission on Human Relations. The Commission may also initiate a complaint. The Commission investigates and rules on each complaint through a neutral process which gives complainants and respondents the opportunity to present evidence and legal arguments to support their position.

SELECTED PROVISIONS OF THE FAIR HOUSING ORDINANCE

Source of Income Discrimination

Section 5-8-030, Chicago Municipal Code

Unfair housing practices

It shall be an unfair housing practice and unlawful for any owner, lessee, sublessee, assignee, managing agent, condominium association board of managers, governing body of a cooperative, or other person, firm or corporation having the right to sell, rent, lease, sublease, or establish rules or policies for any housing accommodation, within the City of Chicago, or any agent of any of these, or any real estate broker licensed as such:

- A. To make any distinction, discrimination or restriction against any person in the price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any real estate used for residential purposes in the City of Chicago or in the furnishing of any facilities or services in connection therewith, predicated on...source of income of the prospective or actual buyer or tenant thereof.
- B. To publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement, sign or other writing of any kind relating to the sale, rental or leasing of any residential real property within the City of Chicago which will indicate or express any limitation or discrimination in the sale, rental or leasing of such residential real estate, predicated upon the...source of income of any prospective buyer, lessee or renter of such property.
- C. To refuse to sell, lease or rent any real estate for residential purposes within the City of Chicago because of the...source of income of the proposed buyer or renter.
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- G. To deliberately and knowingly refuse examination of any listing of residential real estate within the City of Chicago to any person because of...source of income.

Section 5-8-060

Applicability [of the Fair Housing Ordinance]

Any owner, lessee, sublessee, assignee, managing agent, or condominium association board of managers, governing body of a cooperative, or other person, firm, or corporation having the right to sell, rent, lease, or establish rules and policies for any housing accommodation within the City of Chicago who shall exercise any function of selling, renting, leasing, subleasing, or establishing rules or policies for any housing accommodation within the City of Chicago shall be deemed subject to all applicable provisions hereof. Any real estate broker who shall exercise any function of a real estate broker within the City of Chicago shall be subject to all applicable provisions hereof.