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Op-Ed: It's time to renew the fight against housing voucher discrimination

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Cover Page Footnote

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The Housing Choice Voucher Program (HCVP), known as Section 8, is the most recognizable public housing program in the U.S. Through empowering households to use their voucher to rent units in high-opportunity neighborhoods, this program can liberate and transform the outcomes of families experiencing poverty. However, in many Cleveland neighborhoods landlords still exclude Section 8 tenants by simply refusing to accept housing choice vouchers as payment. Essentially, this explicit refusal leaves low-income households with limited options and systematically traps participants into high-poverty neighborhoods.

Here's how Section 8 works: After [applying](#) to a lottery system and waiting, sometimes for years, families experiencing poverty are granted vouchers that pay roughly 70% of rent at fair market value to private landlords. The goal is to allow families to afford to live in high opportunity areas, neighborhoods that, with higher tax bases and home values, can improve access to jobs, services, and quality schools. These neighborhoods often have lower crime, too. Place matters, and moving to "high opportunity" neighborhoods can fundamentally reshape the socioeconomic and health outcomes of entire families.

Despite this, many landlords, and especially those in high opportunity neighborhoods, are reluctant to accept vouchers. Tenants using vouchers are more likely to find an owner willing to rent Section 8 in high-poverty areas, undermining the program's intended benefits.

In [last year's article in the Land](#), [Dan Polletta](#) revealed the impact. The article featured a recent report by the local [Fair Housing Center for Rights and Research](#), which found that 89% of HCVP households identify as Black, and that a large percentage of households have a disability or are families with children. It also reported that HCVP tenants were denied a lease 91% of the time, either through advertised refusal, such as with "No Section 8!" in listings, or through pre-screening practices. This explicit or implicit bias against housing vouchers is known as Source of Income (SOI) Discrimination, and under current laws, it is perfectly legal.

Now, with new faces in Cleveland politics, it's time to end that discrimination and remove barriers to real housing choice.

Other cities have fair housing protections

Legal or not, the refusal of HCVP tenants furthers racial and income segregation. It changes a family's dilemma from affording rent to whether or not they can find a landlord to accept their voucher before the 180-day deadline. Ultimately these

nuances make the intended “choice” in the Housing Choice Voucher Program only an illusion for most families.

These problems are old to Cleveland, and the available solutions are well known. Fair housing advocates have long proposed, to no avail, [replicating the policies of neighboring cities and suburbs](#) such as “pay to stay” and “source of income protection”. Currently, every other big city in Ohio has implemented a source of income protection policy in some capacity, with Cleveland as the lone exception.

However, the recent elections and its new leadership can turn the page for advocates of all stripes – including fair housing advocates. These changing winds carry new potential for 2023 to be a year of progress and opportunity. Fair housing advocates could realize long-fought policy goals that work to end the discrimination against families using Housing Choice Vouchers.

Although most households identify as a [protected class](#), there are no federal, state, or comprehensive county-wide protections that legally require landlords to accept vouchers. Though the law on its face is not discriminatory, the overwhelming pattern of the denial of leases to HCVP tenants has a disproportionate effect on people of color. However, simply passing an anti-discrimination ordinance making source of income discrimination unlawful is not a complete solution to the problem.

Section 8 vouchers need to be made easier for landlords, too

Beyond the stereotype that Section 8 tenants will be difficult or negligent, owners also report that it makes more financial sense to rent to unassisted families. Often this is because of delays in inspections required by The Department of Housing and Urban Development (HUD). A landlord must have their unit inspected before they can rent to a new tenant. This is a reasonable measure to protect tenants in the program from unsafe housing, but is often delayed for over a month. With this loss of income, many landlords will simply avoid the bureaucracy of public housing programs by instead renting to a tenant ready to pay immediately.

Another complaint is that housing authorities can be a challenge to navigate, leaving landlords stuck in bureaucracy. Procedural processes take time, have many steps, and are an institutional attribute of almost all public programs. But these can be overcome through common sense changes like rapid unit inspections, insurance programs for possible damages, and auto re-eligibility policies which have already [been implemented in Akron and Toledo](#).

Proposed law would make it harder for cities to govern landlords

Further complicating solutions for the discrimination of tenants using vouchers are the new political games in the Ohio Senate. A [recent amendment to Ohio House Bill 430](#), a law written to regulate natural gas pipelines, works to prohibit Ohio municipalities from regulating aspects of their local housing market. Backed by Ohio realtors and bankers, it limits Cleveland's ability to govern landlord-tenant agreements, both voucher and non-voucher. A city now needs "specified circumstances" to greenlight new ordinances governing landlords, such as making it unlawful to screen or deny a possible tenant because they are a Section 8 voucher holder. Since these "specified circumstances" are unclear and open to interpretation, housing authorities could be slapped with lawsuits from owners claiming the city is violating the law, making enforcing any new rules a potential minefield.

Efforts at reform have failed

Whether the problem is a product of bias, business, or bad policy, denying families on the grounds of paying with a housing voucher contributes to modern-day redlining and continues historical patterns of income and racial segregation in Cleveland.

Historical attempts at reform have been in flux for close to a decade. A "blanket" ordinance classifying Section 8 tenants as a protected class under county law and supplemental programs which aid, incentivize, and provide administrative support to landlords are all proposals that have fallen through over the years. In 2017, Cleveland City Council established a Housing Trust Fund, but allocated zero dollars to it. In 2021, [County Executive Armond Budish announced plans to introduce SOI anti-discrimination legislation](#), but it failed to even make it to the council. These empty promises by Budish and county and city councils have stalled progress and left Cleveland as the only big city in Ohio without SOI protections.

Now is the time to make change: SOI protections are the next step

[Upon taking office in 2022, Mayor Justin Bibb outlined a strategic agenda prioritizing social justice and equity.](#) As newly elected Chris Ronayne celebrates his easy ascent to County Executive, the mayoral agenda provides Ronayne an opportunity to [follow through on his own promises made on the campaign trail about social equity and progress.](#)

With the celebrated passage of the "Pay to Stay " ordinance in August, Bibb declared that ["this victory was only a first step"](#) to further housing equity in

Cleveland. However, while [in the ordinance's early draft SOI protections and a renter's "Bill of Rights" were negotiated](#), they were later excluded and shelved for a later date.

Whether dropping these protections was the result of politics, priorities, or nuanced legal issues, Sally Martin, Director of Building and Housing in Cleveland, affirmed in December that passing SOI protections is a priority of Bibb. She is anticipating that Cleveland City Council will introduce new legislation early this year.

Passing SOI protections can also open the door for reestablishing relevance of fair housing issues, like increasing the supply of affordable housing. It is critical that any new legislation expanding protections also [addresses supply-side issues in high-opportunity neighborhoods](#) and is written in a way that navigates the legal obstacles posed by H.B.430. Ultimately, if there is limited supply of affordable housing, or if a law is poorly written or cannot be enforced, any ordinance addressing SOI discrimination would be toothless.

Now is the time to harness this political moment, resurrect past attempts at legislation, and demand follow-through on campaign promises. Cleveland needs a political champion, be it Bibb, Ronayne, or both, who can navigate the political-legal obstacles, has the political acumen to liaison with stakeholders, and has the resolve to carry this torch across the finish line where others have failed. Ideally, by making Source of Income a protected class, implementing administrative reforms, and assisting landlords with their concerns, Cleveland can pragmatically confront SOI discrimination with solutions that benefit both tenants and property owners.

Without this follow through, we risk repeating the same patterns that have kicked the proverbial can down the road for almost a decade. With this new guard and new year is a renewed opportunity for these policies, and my eyes are on the leadership's ability to deliver.

This op-ed is a direct result of a four-person project as part of a Public Policy and Political Press course taught at Cleveland State University's College of Urban Affairs. The team was composed of four students: Leon Wilson, Lauryn Hill, Joshua Bazzoli, and Nicole Roberts.