

A Roof at Any Cost: Legislators work to end source-of-income discrimination in housing

COVID-19 made the world stop, but housing prices continue to soar. Average household incomes in Rhode Island are not matching the median incomes needed to rent or purchase a home in the majority of Rhode Island's 39 cities and towns. As the state continues to feel the economic squeeze brought on by COVID-19, more and more working Rhode Islanders are struggling to keep a roof over their head; however, some local legislators are working to make it easier.

Rep. **Anastasia Williams** (District 9) introduced a bill called the Rhode Island Fair Housing Act (House bill no. 5257) that will end source-of-income discrimination by allowing potential tenants to file grievances with the city, bringing discrimination to the attention of property owners. "The intent is to shed a light to landlords, property owners that legal sources of income should be welcome to pay rent, utilities, or what have you if you have a property available for rent," said Williams in an interview with *Motif*. Williams has repeatedly introduced similar bills in prior terms, but they have never made it out of committee.

Source-of-income discrimination has long plagued Rhode Island, according to housing advocates. Landlords often turn away potential tenants who receive housing vouchers, federal or local assistance, or even social security or child support. To Williams, this is intimately tied with racial discrimination, as many of those discriminated against for those income sources are people of color. "Some of these individuals are not hiding from the fact that they don't want you on their property and it's not necessarily because of having a legal source of income, but realistically because you're a person of color," she says.

Similar legislation has been introduced in city councils across the state. Providence passed an ordinance banning source-of-income discrimination earlier this year in culmination of an effort that had been ongoing since 2019. Democrats on the Cranston City Council led a charge to pass it at the end of the 2020 term, but then-Mayor Allen Fung vetoed it as one of his last acts in office. Although Mayor Fung issued no public statement on the matter, the feedback from councillors suggested the mayor had concerns on enforcement issues on a local level. City councillors who voted against the ordinance noted during council debate they would feel more comfortable if it was done at a state level instead of a municipal level. Minority Leader John Donegan, the councilman of Ward Three, reintroduced it last week in a council meeting as a resolution — not a city ordinance — to support the current bill in the General Assembly.

"Half the people I represent in Ward Three are cost-burdened," Donegan said during the meeting. A household that spends more than 30% of their income on housing costs, mortgage or rents is defined as housing cost-burdened. Almost a quarter of all residents in Rhode Island meet this definition, and that's before the final numbers from the COVID year have been tallied. Donegan, in a statement provided to *Motif*, pledged to re-introduce the original ordinance from the previous term if the current legislative effort in the General Assembly fails.

Critics contend passing such laws against sources-of-income discrimination erodes property rights and places undue burdens on property owners. In the same Cranston City Council meeting last week,

Councilman Matt Reilly dissented, arguing other forms of discrimination were based on immutable factors such as skin color.

He said, "Unlike other characteristics that discrimination is based upon, different sources of income do have different levels of risk inherently attached to it. For example, an income derived from child support is riskier than income derived from a salary employee, likewise income derived from a commission-based employee is also far riskier than an hourly wage earner." He also argued it would create further costs and regulations for landlords, and would force a landlord to accept rent at a below-market price. Reilly was the lone dissenting vote on the resolution, which passed 8-1.

"Get over it," Williams said of critics of her bill. "Realistically get over it. Look at yourself in the mirror and put yourself in those individuals' situations for just a few minutes. See how you would feel if you were being discriminated against because of your source of income. Not because you couldn't afford to do it, not because you're not a good person, but because of the color of your skin."

The Fair Housing Act was passed by the House Municipal and Government Housing committee last week. The meeting itself caused a bit of stir, as Rep. Justin Price was ejected from the meeting for refusing to comply with House mask mandates (he did however get to vote against the bill). The House is scheduled to vote on the bill on March 2, right after this issue goes to press. Speaker Joe Sherkarchi has been a sponsor of similar bills in the past, and went on record last month saying if the bill passed the committee process he would vote for it on the floor.

A similar bill was introduced in the Senate by Sen Megan Kallman (District 15 - Pawtucket) in January; cosponsors include Sens. Mack, Quezada, Cano and Acosta. The bill (Senate bill no. 121) has been introduced in the Senate Judiciary committee, and the exact timeline for a hearing is yet unclear.