



CALIFORNIA FAIR HOUSING LAWS HAVE RECENTLY CHANGED!

SOURCE OF INCOME DISCRIMINATION LAWS



California's Fair Employment and Housing Act (FEHA) prohibits discrimination based on source of income.

Although a housing provider may require prospective tenants to demonstrate "sufficient income to pay the rent," it is illegal to deny an applicant because all or part of their income comes from a source other than employment (such as alimony, SSI, pension, welfare, CalWORKS, investments, etc.)



NEW SECTION 8 AND VOUCHER PROTECTIONS

SB 329, enacted on January 1, 2020, expanded the definition of income to include federal, state, and local public assistance and housing subsidies, including Housing Choice Vouchers, also known as Section 8.

This means that landlords in California are required to accept Section 8 and other forms of rental assistance and to consider them as part of an applicant's income.

LANDLORD REQUIREMENTS

Housing providers can still have income requirements and follow the same screening procedures used to check credit and criminal background for all applicants.

However, for voucher holders, the income threshold must be calculated based on the amount of rent that will be paid by the tenant (ie: the tenant's portion), rather than the entire contract rent amount.



Fair Housing Advocates of Northern California (FHANC) is a non-profit organization designed to counter discriminatory practices in housing and promote diversity in our neighborhoods.

Our work involves educating the public, including housing providers, on fair housing laws and issues related to housing discrimination.

As part of that mission, we are attempting to inform housing providers that California recently made some changes to its fair housing laws regarding source of income discrimination.

For more information about FHANC, please visit our website at fairhousingnorcal.org.

Disclaimer: The information above is general in nature and does not constitute legal advice. No attorney-client relationship exists between you and Fair Housing Advocates of Northern California. Consult with a licensed attorney for specific advice.