



# SOURCE OF INCOME LAWS BY STATE, COUNTY AND CITY

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## LOCALITIES WITH SOURCE OF INCOME

(Click each locality to be directed to their Source of Income Ordinance)

**California:** *Los Angeles County {unincorporated areas only}, Marin County, Santa Clara County {unincorporated areas only}, Alameda, Berkeley, Corte Madera, East Palo Alto, Fairfax, Los Angeles, Mill Valley, Novato, San Anselmo, San Diego, San Francisco, San Rafael, Santa Monica, Woodland;*  
**Colorado:** Boulder, Denver;  
**Delaware:** Wilmington;  
**Florida:** *Broward County, Hillsborough County, Miami-Dade County;*  
**Georgia:** Atlanta;  
**Illinois:** *Cook County, Chicago, Glenview, Harwood Heights, Naperville, Urbana, Wheeling\*;*  
**Iowa:** Des Moines, Iowa City, Marion;  
**Kentucky:** Louisville;  
**Maine:** Portland;  
**Maryland:** *Anne Arundel County, Baltimore County, Frederick County, Howard County, Montgomery County, Prince George's County, Annapolis, Baltimore, Frederick;*  
**Massachusetts:** Boston, Cambridge, Quincy, Revere;  
**Michigan:** Ann Arbor, East Lansing, Grand Rapids, Holland, Jackson, Kalamazoo, Kentwood, Lansing, Wyoming;  
**Minnesota:** Minneapolis;  
**Missouri:** Clayton, St. Louis, Webster Groves;  
**New York:** *Erie County, Nassau County, Suffolk County, Westchester County, Buffalo, Hamburg, New York City, Rochester, Syracuse, West Seneca;*  
**Ohio:** Bexley, Cincinnati, Linndale, South Euclid, University Heights, Warrensville Heights, Wickliffe;  
**Pennsylvania:** Philadelphia, Pittsburgh, Borough of State College;  
**Tennessee:** Memphis;  
**Texas:** Austin, Dallas;  
**Washington:** *King County {unincorporated areas only}, Bellevue, Bellingham, Kent, Kirkland, Olympia, Redmond, Renton, Seattle, Spokane, Tumwater, Vancouver;*  
**Wisconsin:** *Dane County, Milwaukee County, Cambridge\*, Madison, Milwaukee, Ripon\*, Sun Prairie\*, Wauwatosa\**

Counties are in *Italic Font*, Cities are in Regular Font

\* indicates localities with SOI laws that do not cover Section 8 Housing Vouchers

California Code, Title 2, Ch. 6, 12955 Discrimination Prohibited.

It shall be unlawful:

- (a) For the owner of any housing accommodation to discriminate against or harass any person because of the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, **source of income**, disability, or genetic information of that person.
- (b) For the owner of any housing accommodation to make or to cause to be made any written or oral inquiry concerning the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, disability, or genetic information of any person seeking to purchase, rent, or lease any housing accommodation.
- (c) For any person to make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a housing accommodation that indicates any preference, limitation, or discrimination based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, **source of income**, disability, or genetic information or an intention to make that preference, limitation, or discrimination.

**Definitions.** (p) (1) For the purposes of this section, “**source of income**” means lawful, verifiable income paid directly to a tenant or to a representative of a tenant, or paid to a housing owner or landlord on behalf of a tenant, including federal, state, or local public assistance, and federal, state, or local housing subsidies, including, but not limited to, federal housing assistance vouchers issued under Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f). For the purposes of this definition, a housing owner or landlord is not considered a representative of a tenant.

COUNTY ORDINANCES:  
CALIFORNIA**Los Angeles County (CA) – UNINCORPORATED AREAS ONLY**Los Angeles County Code of Ordinances Ch. 8.58.030 – Discrimination Prohibited

It is unlawful for any Person, or any authorized agent or employee of such Person, to do any of the following in the offering for rent, renting or renewal of a Covered Rental Unit, wholly or partially based on **Source of Income**:

- (a) Interrupt, terminate, fail, or refuse to initiate, execute or conduct any transaction for the rental of a Covered Rental Unit;
- (b) Falsely represent to any Person that a Covered Rental Unit is unavailable for rental when the Person making such representation knows or should know that such Covered Rental Unit is in fact, available;
- (c) Include or apply different terms or conditions in connection with the rental of a Covered Rental Unit, including, but not limited to, the setting of rates for rental, the establishment of

damage deposits, or other financial conditions that are not uniformly applied to all Tenants in other Covered Rental Units;

- (d) Refuse or restrict facilities, services, repairs, or improvements for any Tenant of a Covered Rental Unit;
- (e) Indicate preference, limitation or discrimination, in print, publication, or advertisement, published through any medium, electronic, broadcast or other method, or in any notice, statement, sign, application or contract, with regard to a Covered Rental Unit offered for rent, including, but not limited to, the accepted form(s) of payment for the Covered Rental Unit;
- (f) Fails to account for any rental payments or portions of rental payments that will be made by other individuals or federal, State or local agencies on the same basis as rental payments to be made directly by the Tenant; or
- (g) Fails to account for the aggregate income of Tenants residing together or an aggregate income of Tenants and their cosigners on the same basis as the aggregate income of married persons residing together.

**“Source of Income”** means any lawful source of income for rental payment from a rental assistance program, homeless assistance program, security deposit assistance program, or housing subsidy program from any federal, State or local government, or nonprofit or charitable agency, whether paid directly to the program participant, landlord or representative, including, but not limited to the Section 8 Housing Choice Vouchers Program, other federally-funded rental assistance programs, the Flexible Housing Subsidy Pool, and rapid re-housing rental assistance. (Sec. 8.58.020)

## Marin County (CA)

### Marin County Code of Ordinances, 5.53.010 Housing.

It is unlawful for any person to do any of the following as wholly or partially based on **source of income**:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;
- (b) To include in the terms or conditions of a transaction in real property any clause, condition or restriction;
- (c) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (d) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on **source of income**.

For purposes of this subsection, **“source of income”** means all lawful sources of income or rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program. Source of income includes any requirement of any such program **or source of income or rental assistance**.

## Santa Clara County (CA) – UNINCORPORATED AREAS ONLY

### Santa Clara County Code of Ordinances, No. NS-507.1, Sec. B37-2.

It is unlawful for any person to do any of the following as wholly or partially based on receipt of housing assistance:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such transactions; or falsely to represent that an interest in real property is not available for transaction;
- (b) To include in the terms or conditions of a transaction in real property any clause, condition, or restriction;
- (c) To refuse or restrict facilities, services, repairs or improvements for any current or prospective tenant or lessee;
- (d) To make, print, publish, advertise, or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, that unlawfully indicates preference, limitation, or discrimination based on receipt of **housing assistance**;
- (e) To use a financial or income standard for rental housing that privileges income earned directly by the tenant or prospective tenant over housing assistance, or that discounts or discriminates against housing assistance programs.

For the purpose of this Division, “**housing assistance**” included all housing and rental assistance programs, homeless assistance programs, security deposit assistance programs, and housing subsidy programs.

## CITY ORDINANCES: CALIFORNIA

### Alameda

#### Alameda Code of Ordinances, 6-61.50 - Prohibition Against Housing Discrimination.

It shall be unlawful for any landlord to do or attempt to do any of the following:

- (a) Refuse to rent or lease a housing accommodation or access to or use of the common areas and facilities of the housing accommodation, serve a notice of termination of tenancy, commence an unlawful detainer action, or otherwise deny to or withhold from any person or persons, a housing accommodation on the basis of disability, age, **source of income**, parenthood, pregnancy, or the potential or actual occupancy of a minor child.
- (b) Represent to any person, on the basis of disability, age, **source of income**, parenthood, pregnancy, or the potential or actual occupancy of the minor child that a housing accommodation is not available for inspection or rental when such housing accommodation is in fact available for inspection or rental.

For purposes of this section, "**source of income**" includes any lawful source of income or rental assistance from any Federal, State, local or non-profit-administered benefit or subsidy program including, but not limited to, the Section 8 voucher program. (Ord. No. 3251 N.S., § 1, 9-17-2019)

## Berkeley

### Berkeley Code of Ordinances, 13.31.020 - Discrimination based on source of income prohibited.

It shall be unlawful for any person offering for rent or lease, renting, leasing, or listing any housing accommodation, or any authorized agent or employee of such person, to do or attempt to do any of the following:

- (a) Refuse to rent or lease a housing accommodation, or access to or use of the common areas and facilities of the housing accommodation, serve a notice of termination of tenancy, commence an unlawful detainer action, or otherwise deny to or withhold from any person or persons, a housing accommodation on the basis of source of income;
- (b) Represent to any person, on the basis of **source of income**, that a housing accommodation is not available for inspection or rental when such housing accommodation is in fact available for inspection or rental, or to require different terms for such transactions on the basis of **source of income**;

"**Source of income**" includes any lawful source of income or rental assistance from any Federal, State, local or non-profit-administered benefit or subsidy program including, but not limited to, **the Section 8 voucher program**. (Ord. 7568-NS § 2 (part), 2017)

## Corte Madera

### Corte Madera Code of Ordinances, 858 § 1, 2000; 5.30.020 - Right to protection against discrimination in rental housing on the basis of source of income.

It is unlawful for the owner or manager of rental housing to discriminate against an existing tenant on the basis of that tenant's use of a Section 8 rent subsidy. It is a violation of this prohibition for a property owner or manager to refuse to accept a Section 8 rent subsidy for which an existing tenant qualifies, or to terminate the tenancy of an existing tenant based on the property owner's or manager's refusal to participate in a **Section 8 rent subsidy program** for which an existing tenant has qualified.

## East Palo Alto

### East Palo Alto Code of Ordinances, Chapter 14.16.010 – Housing: Income-based rental housing discrimination.

It is unlawful for any person to do any of the following as wholly or partially based on **source of income**:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such

transaction; or falsely to represent that an interest in real property is not available for transaction;

- (b) To include in the terms or conditions of a transaction in real property any clause, condition or restriction;
- (c) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (d) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.

For purposes of this subsection, "**source of income**" means all lawful sources of income or rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program. **Source of income** includes any requirement of any such program or **source of income** or rental assistance.

## Fairfax

### Fairfax Code of Ordinances, §5.52.020 Income-Based Rental Housing Discrimination.

- A. **Prohibited activity.** It is unlawful for any person to do any of the following related to the rental of real property for residential use as wholly or partially based on **source of income**, as defined herein:
  - (1) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property related to the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;
  - (2) To include in the terms or conditions of a transaction in real property any clause, condition or restriction;
  - (3) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
  - (4) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.
- B. **Prohibited economic discrimination.** It is unlawful for any person to use a financial or income standard for the rental of housing that does either of the following:
  - (1) Fails to account for any rental payments or portions of rental payments that will be made by other individuals or organizations, including by a rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program, on the same basis as rental payments to be made directly by the tenant or prospective tenant;

- (2) Fails to account for the aggregate income of persons residing together or proposing to reside together or the aggregate income of tenants or prospective tenants and their cosigners or proposed cosigners.

## Los Angeles (City)

### Los Angeles Municipal Code Ch. IV Sec. 1 Art. 5.6.1 - Sec. 45.67.

It shall be unlawful for any person offering for rent, renting, or listing any housing accommodation to do or attempt to do any of the following:

- (a) Based upon a person's **source of income**, refuse to rent or lease, or to continue to rent or lease, a housing accommodation; refuse to enter into or renew a rental agreement, lease or housing assistance payment contract; refuse to execute any documents required to enter into or renew a rental agreement, lease or housing assistance payment contract; serve a notice of termination of tenancy; seek to terminate or terminate a tenancy; or otherwise deny or withhold a housing accommodation or housing services or amenities.
- (b) Apply different terms, conditions, restrictions, or privileges, based upon a person's source of income, in connection with the rental of a housing accommodation, including but not limited to the setting of rates for rental or lease, the establishment of damage deposits or other similar financial conditions, or refuse access to or use of the common area or facilities associated with a housing accommodation or refuse to make repairs or improvements to a housing accommodation or real property associated with a housing accommodation.
- (c) Represent to any person based upon their **source of income** that a housing accommodation is unavailable for viewing for rental when such housing accommodation is available for rent.
- (d) Make, print, or publish, or cause to be made, printed, or published through any medium, any notice, statement, sign, advertisement, application, or contract, with regard to any housing accommodation offered for rent, including but not limited to the accepted form(s) of payment for the housing accommodation, that indicates any preference, limitation, or discrimination based upon a person's **source of income**.

**Source of Income.** Any lawful source of income, rental assistance, subsidy, or financial aid from any person, including but not limited to a federal, state or local government, or non-profit or charitable agency, whether paid directly to the program participant, landlord or his or her representative, including but not limited to the Section 8 voucher program, the Los Angeles Homeless Services Authority's Rapid Re-Housing program or any other housing subsidy program, homeless assistance or prevention program or security deposit assistance program.(Sec. 45.66)

## Mill Valley

### Mill Valley Code of Ordinances, §5.33.020 - Prohibited source of income discrimination.

It is unlawful for any person to do any of the following as wholly or partially based on source of income:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such



transaction; or falsely to represent that an interest in real property is not available for transaction;

- (b) To include in the terms or conditions of a transaction in real property any clause, condition or restriction;
- (c) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (d) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.

For purposes of this chapter, “**source of income**” means all lawful sources of income or rental assistance program, security deposit assistance program or housing subsidy program.

## Novato

### Novato Code of Ordinances, §4-16.2 Income-Based Rental Housing Discrimination.

It is unlawful for any person to do any of the following related to the rental of real property for residential use as wholly or partially based on **source of income**, as defined herein:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;
- (b) To include in the terms or conditions of a transaction in real property any discriminating clause, condition or restriction;
- (c) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (d) To make, print, publish, advertise, or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.

## San Anselmo

### San Anselmo Code of Ordinances, §10.14.010 Income-Based Rental Housing Discrimination.

It is unlawful for any person to do any of the following as wholly or partially based on source of income:

- (1) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;

- (2) To include in the terms or conditions of a transaction in real property any clause, condition or restriction;
- (3) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (4) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.

For purposes of this subsection, “**source of income**” means all lawful sources of income or rental assistance program, security deposit assistance program or housing subsidy program. Source of income include any requirement of any such program or source of income or rental assistance.

## San Diego

### San Diego Code of Ordinances, §98.0801 – Source of Income

- (1) It is unlawful for any person to do any of the following acts, wholly or in part, based on a person’s **source of income** (except as may be necessary to comply with any program requirements related to source of income):
  - a. To refuse to enter into or renew an agreement for tenancy;
  - b. To interrupt or terminate any tenancy;
  - c. To falsely represent that a rental-unit is not available for tenancy;
  - d. To require inclusion in the terms of an agreement for tenancy any clause, condition, or restriction; or
  - e. To restrict a tenant’s access to facilities or services on real property associated with the tenancy, or refuse repairs or improvements to real property associated with the tenancy.
- (2) It is unlawful for any person to make, print, publish, advertise, or disseminate in any way, or cause to be made, printed, published, advertised, or disseminated in any way, any notice, statement, or advertisement with respect to a rental-unit, or with respect to financing related to a rental-unit, which indicates discrimination based on a person’s **source of income**.
- (3) It is unlawful for any person to use a financial or income standard for entering into or renewing a tenancy that does either of the following:
  - a. Fails to account for any tenant’s or prospective tenant’s entire **source of income**; or
  - b. Fails to account for the aggregate **source of income** of tenants residing together or proposing to reside together, or the aggregate **source of income** of tenants or prospective tenants and their cosigners or proposed cosigners, on the same basis as the aggregate source of income of married persons residing together or proposing to reside together.

## San Francisco

### San Francisco Code of Ordinances, SEC. 3304 HOUSING.

It shall be unlawful for any person to do any of the following acts wholly or partially because of a person's actual or perceived race, color, ancestry, national origin, place of birth, sex, age, religion, creed, disability, sexual orientation, gender identity, **source of income**, weight, or height:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including but not limited to the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;
- (b) To include in the terms or conditions of a transaction in real property any clause, condition or restriction.
- (c) To refuse to lend money, guarantee the loan of money, accept a deed of trust or mortgage, or otherwise refuse to make available funds for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of real property; or impose different conditions on such financing; or refuse to provide title or other insurance relating to the ownership or use of any interest in real property;
- (d) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;
- (e) To make, print, publish, advertise or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction or proposed transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on race, color, ancestry, national origin, place of birth, sex, age, religion, creed, disability, sexual orientation, gender identity, source of income, weight, or height.

For purposes of this Subsection (a), "**source of income**" means all lawful sources of income or rental assistance from any federal, State, local, or nonprofit-administered benefit or subsidy program. "Source of income" also means a rental assistance program, homeless assistance program, security deposit assistance program or **housing subsidy program**. "Source of income" includes any requirement of any such program or source of income, or rental assistance.

## San Rafael

### San Rafael Code of Ordinances Title 10 Ch. 10.98 – Rental Housing Source of Income Discrimination

It is unlawful for any person to do any of the following related to the rental of real property for residential use when wholly or partially based on **source of income**, as defined herein:

- (a) To interrupt, terminate, or fail or refuse to initiate or conduct any transaction in real property, including, but not limited to, the rental thereof; to require different terms for such transaction; or falsely to represent that an interest in real property is not available for transaction;
- (b) To include in the terms or conditions of a transaction in real property any discriminating clause, condition or restriction due to source of income;
- (c) To refuse or restrict facilities, services, repairs or improvements for any tenant or lessee;

- (d) To make, print, publish, advertise, or disseminate in any way, or cause to be made, printed or published, advertised or disseminated in any way, any notice, statement or advertisement with respect to a transaction in real property, or with respect to financing related to any such transaction, which unlawfully indicates preference, limitation or discrimination based on source of income.
- (e) It is unlawful for any person to use a financial or income standard for the rental of housing that does either of the following:
  - a. Fails to account for any rental payments or portions of rental payments that will be made by other individuals or organizations, including by a rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program, on the same basis as rental payments to be made directly by the tenant or prospective tenant;
  - b. Fails to account for the aggregate income of persons residing together or proposing to reside together or an aggregate income of tenants or prospective tenants and their cosigners or proposed cosigners on the same basis as the aggregate income of married persons residing together or proposing to reside together, so long as legal occupancy limits are not exceeded.

**“Source of income”** as used in this chapter means all lawful sources of income and/or all payments from a rental assistance program, homeless assistance program, security deposit assistance program or housing subsidy program, provided such funds are not paid directly to the tenant.” (Sec. 10.98.020)

## **Santa Monica**

### **Santa Monica Code of Ordinances, 4.28.030 Prohibited activities.**

It shall be unlawful for any person offering for rent or lease, renting, leasing, or listing any housing accommodation, or any authorized agent or employee of such person, to do or attempt to do any of the following.

- (a) Refuse to rent or lease a housing accommodation, or access to or use of the common areas and facilities of the housing accommodation, serve a notice of termination of tenancy, commence an unlawful detainer action, or otherwise deny to or withhold from any person or persons, a housing accommodation on the basis of disability, age, source of income, parenthood, pregnancy, or the potential or actual occupancy of a minor child.
- (b) Represent to any person, on the basis of disability, age, source of income, parenthood, pregnancy, or the potential or actual occupancy of the minor child that a housing accommodation is not available for inspection or rental when such housing accommodation is in fact available for inspection or rental.
- (c) Make, print, or publish, or cause to be made, printed, or published any notice, statement, sign, advertisement, application, or contract with regard to a housing accommodation offered by that person that indicates any preference, limitation, or discrimination with respect to disability, age, source of income, parenthood, pregnancy, or the potential or actual occupancy of a minor child.

## Woodland

### Woodland Code of Ordinances, Title 15 Buildings and Construction Chapter 15.16.130 Affordable Housing-Monitoring and Compliance Requirements for Rental Projects.

- (1) Multifamily Rental Residential Project Monitoring Requirements. The monitoring requirements of each regulatory agreement between the owner and the city shall include all the rental restrictions listed in this chapter and in addition shall require the following:
  - (a) Owner shall affirmatively market the rental units by sending advertisements describing the affordable units to local newspapers and to the list of local nonprofit and government housing organizations and agencies that serve very low and low income persons and families;
  - (b) Owner shall comply with all fair housing laws and not discriminate based on race, ancestry, gender, religion, color, age, national origin, marital status, familial status, sexual orientation, source of income and disability;
  - (c) Owner shall not discriminate based on any government rental subsidy, including but not limited to HUD Section 8 assistance. Tenants may utilize Section 8 vouchers to assist in renting inclusionary units; however, the rent levels collected for inclusionary units occupied by tenants using Section 8 vouchers shall remain at the affordable level determined pursuant to Section 15.16.110 of this chapter

## DELAWARE

### STATEWIDE SOI LAWS AND LOCAL SOI ORDINANCES IN EFFECT

### Delaware Code, §4603 Discrimination in sale or rental of housing and other prohibited practices.

- (a) For purposes of paragraphs (b)(1)-(5) of this section, the unlawful discrimination against a person on the basis of a specified protected status refers to the protected status of:
    - (1) That buyer, renter or aggrieved person;
    - (2) A person residing in or intending to reside in that dwelling after it is sold, rented or made available;
    - (3) Any person associated with that buyer or renter.
  - (b) Except as exempted by § 4607 of this title, it shall be unlawful:
    - (1) To discriminate in the sale or rental, to refuse to sell or rent, to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, national origin, religion, creed, sex, marital status, familial status, **source of income**, age, sexual orientation, gender identity or disability.
    - (2) To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, national origin, religion, creed, sex, marital status, familial status, **source of income**, age, sexual orientation, gender identity or disability.
- "Source of income" means any lawful source of money paid directly, indirectly, or on behalf of a renter or buyer of housing including: a. Income derived from any lawful profession or occupation; b. Income or rental payments derived from any government or private assistance, grant, or loan program.

## Wilmington

### Wilmington Code of Ordinances, Ch. 35- Human Rights, Article 3- Fair Housing Sec. 35-77

Purpose. The provisions of this article are intended to eliminate, as to housing offered to the public for sale or rent, discrimination based upon race, age, marital status, creed, color, sex, sexual orientation, handicap, national origin **or economic status as a welfare recipient**, person dependent on fixed income or as a parent with a minor child or minor children.

Sec. 35-78. - Unlawful acts. Except as provided in section 35-80 it shall be an unlawful practice for any person because of race, age, marital status, creed, color, sex, sexual orientation, handicap, national origin, or **economic or family status** to:

- (1) Refuse to sell or rent to those who are welfare recipients, or who are dependent upon other fixed incomes, or to a parent with minor children, or to handicapped persons, if such refusal is based only upon the status of the applicant as stated above. Refusal must be based upon the grounds that indicate inability to pay, poor payment record at previous occupancy or a documented record of destruction at previous place of occupancy.
- (2) Refuse to sell or rent, or refuse to negotiate for the sale or rental of or otherwise make unavailable or deny to any person a dwelling offered for sale or rent.
- (3) Expel any person from a dwelling.
- (4) Discriminate against any person in the price, terms, conditions or privileges of sale or rental of a dwelling, or to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:
  - a. That person;
  - b. A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available;
  - c. Any person associated with that person.

## MAINE

### STATEWIDE SOI LAWS AND LOCAL SOI ORDINANCES IN EFFECT

### Maine Code, §4581-A Unlawful housing discrimination.

It is unlawful housing discrimination, in violation of this Act:

- (4) **Receipt of public assistance.** For any person furnishing rental premises or public accommodations to refuse to rent or impose different terms of tenancy to any individual who is a recipient of federal, state or local public assistance, including medical assistance and **housing subsidies**, primarily because of the individual's status as recipient.

## Portland

### City of Portland, Maine Code of Ordinances - ARTICLE XII. RENT CONTROL AND TENANT PROTECTIONS Sec. 6-237. - Discrimination prohibited in sale or rental of housing units.

- (1) It shall be prohibited for a landlord to refuse to rent or negotiate for the rental of, or otherwise make unavailable or deny a dwelling to any tenant because of the tenant's **source of income** or because of the requirements of any program providing the **source of income**;

## MARYLAND

### STATEWIDE SOI LAWS AND LOCAL SOI ORDINANCES IN EFFECT

#### MD. CODE. ANN. §20-701:

- (j)
  - (1) 'Source of income' means any lawful source of money paid directly or indirectly to or on behalf of a renter or buyer of housing.
  - (2) 'Source of income' includes income from:
    - (I) A lawful profession, occupation, or job;
    - (II) Any government or private assistance, grant, loan, or rental assistance program, including low-income housing assistance certificates and vouchers issued under the United States Housing Act of 1937;
    - (III) A gift, an inheritance, a pension, an annuity, alimony, child support, or any other consideration or benefit; or
    - (IV) The sale or pledge of property or an interest in property

#### MD. CODE. ANN. §20-702:

- (a) It is the policy of the State:
  - (1) to provide for fair housing throughout the State to all, regardless of race, color, religion, sex, familial status, national origin, marital status, sexual orientation, gender identity, disability, or **source of income**

#### MD. CODE. ANN. §20-704:

- (a) This subtitle does not apply to:
  - (2) with respect to discrimination on the basis of sex, sexual orientation, gender identity or marital status, or source of income if the source of income is low-income housing assistance certificates or vouchers issued under the United States Housing Act of 1937:
    - (i) the rental of rooms in any dwelling, if the owner maintains the dwelling as the owner's principal residence or
    - (ii) the rental of any apartment in a dwelling that contains not more than five rental units, if the owner maintains the dwelling as the owner's principal residence
- (d) The prohibitions in this subtitle against discrimination based on source of income do not:

- (1) Prohibit a person from determining the ability of a potential buyer or renter to pay a purchase price or pay rent by verifying in a commercially reasonable and nondiscriminatory manner the source and amount of income or creditworthiness of the potential buyer or renter;
- (2) Prevent a person from refusing to consider income derived from any criminal activity; or
- (3) Prohibit a person from determining, in accordance with applicable federal and state laws, the ability of a potential buyer to repay a mortgage loan.

## COUNTY ORDINANCES: MARYLAND

### Anne Arundel County:

#### Anne Arundel Fair Housing Bill 55-19, 1-9-101

'Source of Income' means any lawful source of money that is paid to or for the benefit of a buyer or renter of housing, including money from:

- (2) A federal, state, or local **government assistance**, grant, or loan program;
- (3) A gift or inheritance, otherwise legally considered a **source of income**, provided that a purchase or lease agreement is executed;

Source of income' does not include the determination of a person's ability to pay a purchase price or to pay rent, which is determined by such reasonable and customary standards as verification of income and its source, the creditworthiness of the renter or buyer, and the creditworthiness of any source of income.

### Baltimore County

#### Baltimore County Code, Article 29, Title I 29-2-101

"Discrimination" includes discrimination based on source of income" § 29-2-101(b).

"Discriminatory restrictive covenant" means a specification limiting the transfer or rental of a dwelling because of the person's race, creed, religion, color, sex, age, national origin, marital status, sexual orientation, gender identity or expression, status as a veteran, **source of income**, or physical or mental disability" § 29-2-101(c).

"Source of income" means any lawful source of money paid directly or indirectly to, or on behalf of, a renter or buyer of housing.

"Source of income" includes income from:

#### II. Receipt of a federal, state, or local benefit, including:

- (1) Receipt of federal, state, or local public assistance, including medical assistance or disability benefits, or receipt of federal, state or local housing subsidies, including rental assistance or rent supplements, or because a person



is such a recipient, or because of any requirement of such public assistance, rental assistance or housing subsidy;

(2) Having a history of receiving benefits as providing under sub-sub-paragraph 1 of this sub-paragraph; or

(3) Being regarded as having a history of receiving benefits as provided under Sub-sub-paragraph 1 of this sub-paragraph;

## Frederick County

### Frederick County Code Ch. 1-2 Art. VII Sec. 1-2-93

(B) Discrimination based upon the following is unlawful in Frederick County:

(1) Race, color, religion, national origin, sex, age, marital status or disability in employment, housing, or public accommodations,

(2) Familial status in housing or employment, and

(3) Source of income in housing.

## Howard County

### Howard County Fair Housing Ordinances Title 12 Subtitle 2 Sec. 12.207

Source of income means any lawful source of money that is paid to or for the benefit of a renter or buyer of housing, including:

(1) A lawful profession or occupation;

(2) A Federal, State or **local government assistance**, grant or loan program;

(3) A private assistance, grant or loan program . . .

## Montgomery County

### Montgomery County Code Part II Chapter 27 Article I 27-12

A person must not, because of race, color, religious creed, ancestry, national origin, sex, marital status, disability, presence of children, family responsibilities, **source of income**, sexual orientation, gender identity, or age:

i. refuse, or refuse to negotiate, to sell, broker, appraise, lease, sublease, rent, assign, or otherwise transfer the title, leasehold, or other interest in any housing;

Source of income means any lawful source of money, paid directly or indirectly to a renter or buyer of housing, including income from:

(1) any lawful profession or occupation;

(2) any government or private assistance, grant, or loan program;

- (3) any gift, inheritance, pension, annuity, alimony, child support, or other lawful compensation or benefit; or
- (4) any sale or pledge of any property or interest in property

## Prince George's County

### Prince George's Policy of Fair Housing Sec. 2-210. – Sale or rental of housing

- (a) No person, whether acting for monetary gain or not, shall:
  - (1) Refuse to sell, lease, sublease, rent, assign, or otherwise transfer; or refuse to negotiate for the sale, lease, sublease, rental, assignment or other transfer of title, leasehold or other interest in any housing; or represent that housing is not available for inspection, sale, lease, sublease, rental, assignment, or other transfer when in fact it is so available; or otherwise make housing unavailable, deny, or withhold any housing from any person because of race, religion, color, sex, national origin, immigration status, citizenship status, **source of income**, age, occupation, marital status, political opinion, personal appearance, sexual orientation, physical or mental disability, or familial status;

## CITY ORDINANCES: MARYLAND

## Annapolis

### Annapolis Code of Ordinances Ch. 11.32 – Fair Housing

- A. It is the policy of the City, in the exercise of its police powers for the protection of the public safety, public health, and general welfare, to assure equal opportunity to all persons to live in decent housing facilities and to eliminate discrimination in all housing accommodations regardless of race, color, religion, disability, familial status, sexual orientation, gender identity, marital status, sex, **source of income**, immigration status, citizenship status, or national origin, and to that end to prohibit discrimination in all housing accommodations by any person.

"Source of income" means any lawful verifiable source of money paid directly or indirectly to a renter or buyer of housing including:

- A. Federal, state, or local government assistance including, but not limited to, Section 8 housing choice vouchers, medical assistance subsidies, rental assistance, or rent supplements;

## Baltimore (City)

### Baltimore City Code Art. 4 Sec. 3-5

“Source of income”, as used in § 3-5 {“Housing”} of this article, means any lawful source of money paid directly or indirectly to, or on behalf of, a renter or buyer of housing.

(2) Inclusions. “Source of income” includes income from:

- (i) a lawful profession, occupation, or job;
- (ii) any government or private assistance, grant, loan, or rental assistance program, including low-income housing assistance certificates and vouchers issued under the United States Housing Act of 1937; or
- (iii) a gift, an inheritance, a pension, an annuity, alimony, child support, or other consideration or benefit.

## Frederick (City)

### Frederick City Code Appendix F

It is the policy of the City to provide for fair housing to all of its residents, regardless of race, color, religion, sex, familial status, national origin, disability, age, marital status, sexual orientation, gender identity, or **source of income**; and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all the inhabitants of the City may be protected and insured.

‘Source of Income’ means any lawful, verifiable source of money paid directly or indirectly to a renter or buyer of housing including:

- (1) Any lawful profession or occupation;
- (2) The condition of being a recipient of federal, state, or local government assistance, including medical assistance, subsidies, rental assistance, or rent supplements;
- (3) Any gift, inheritance, pension, annuity, alimony, child support, trust or investment accounts, or other consideration or benefit; and
- (4) Any sale or pledge of property or interest in property.

Mass. Gen. Laws Ann. Ch. 151B § 4-10:

“It shall be an unlawful practice: . . . 10. For any person furnishing credit, services or rental accommodations to discriminate against any individual who is a recipient of federal, state, or local public assistance, including medical assistance, or who is a tenant receiving federal, state, or local housing subsidies, including rental assistance or rental supplements, because the individual is such a recipient, or **because of any requirement of such public assistance, rental assistance, or housing subsidy program.**

CITY ORDINANCES:  
MASSACHUSETTS**Boston**City of Boston Municipal Code Ch. 10-3

It is the policy of the City of Boston to see that each individual, regardless of his/her race, color, religious creed, marital status, military status, handicap, children, national origin, sex gender identity or expression, age, ancestry, sexual preference or **source of income** shall have equal access to housing and to encourage and bring about mutual understanding and respect among all individuals in the City by the elimination of prejudice, intolerance, bigotry and discrimination in the area of housing.

**Cambridge**Cambridge Municipal Code Title 14.04.040 – Unlawful Practices

A. It shall be an unlawful practice:

1. For any person whose business includes granting mortgage loans or engaging in residential real estate transactions to discriminate against any person in the granting of, refusal to grant, in making available, refusing to make available, or in the terms or conditions of, a loan or transaction because of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, gender identity, marital status, family status, military status, or **source of income**.

“Source of income” means public assistance reciprocity. “Source of income” shall not include income derived from criminal activity.”

**Quincy**Quincy Municipal Code Title 2 Ch. 2.150

No person in our city shall be unlawfully discriminated against in matters of housing, employment, education, contracts, purchasing or public accommodations, on the basis of age, ancestry, citizenship

status, color, disability, economic status, ethnicity, family/marital status, gender, military status, national origin, race, religion, sexual orientation or **source of income**.

## Revere

### Revere Code of Ordinances Title 9 Ch. 9.24

C. To refer individuals with complaints to the appropriate state or federal agency of any violations of:

1. The denial of equal access to and discrimination in housing, employment education, contracts, purchasing, public services or public accommodations (regardless of the public or private source of such denial or discrimination) where such denial or discrimination against a person is based on age, ancestry, disability, ethnicity, family/marital status, gender, military status, handicap, national origin, race, religion, sexual orientation or **source of income**;

"Source of income" means the manner or means by which an individual supports herself or himself and his or her dependents, except in this chapter it shall not include any criminal activity from which a source of income is derived

## NEW YORK

## STATEWIDE SOI LAWS AND LOCAL SOI ORDINANCES IN EFFECT

### New York Code, A02006C New York State Human Rights Law.

To discriminate against any person because of his or her race, creed, color, disability, national origin, sexual orientation, gender, identity or expression, military status, age, sex, marital status, lawful **source of income** or familial status in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith. To refuse to sell, rent, lease or otherwise to deny to or withhold from any person or group of persons such a housing accommodation because of the race, creed, color, national origin, sexual orientation, gender, identity or expression, military status, sex, age, disability, marital status, lawful source of income or familial status of such person or persons, or to represent that any housing accommodation or land is not available for inspection, sale, rental or lease when in fact it is so available.

### Lawful Source of Income Non-Discrimination Act of 2019

The term "lawful source of income" shall include, but not be limited to, child support, alimony, foster care subsidies, income derived from social security, or any form of federal, state, or local public assistance or housing assistance including, but not limited to, Section 8 Vouchers, or any other form of housing assistance payment or credit whether or not such income or credit is paid or attributed directly to a landlord, and other forms of lawful income. (amd §§292 & 296, exec I)

S 3. Paragraphs (a), (b) and (c) of subdivision 2-a of section 296 of the executive law, as amended by chapter 106 of the laws of 2003, are amended to read as follows:

- (a) To refuse to sell, rent or lease or otherwise to deny to or with-hold from any person or group of persons such housing accommodations because of the race, creed, color, disability, national origin, sexual orientation, military status, age, sex, marital status, [or] familial status, **or source of income** of such person or persons, or to represent that any housing accommodation or land is not available for inspection, sale, rental or lease when in fact it is so available.
- (b) To discriminate against any person because of his or her race, creed, color, disability, national origin, sexual orientation, military status, age, sex, marital status, [or] familial status, **or source of income** in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith.
- (c) To cause to be made any written or oral inquiry or record concerning the race, creed, color, disability, national origin, sexual orientation, membership in the reserve armed forces of the United States or in the organized militia of the state, age, sex, marital status, [or] familial status, or **source of income** of a person seeking to rent or lease any publicly-assisted housing accommodation; provided, however, that nothing in this subdivision shall prohibit a member of the reserve armed forces of the United States or in the organized militia of the state from voluntarily disclosing such membership.

S 4. Subdivision 5 of section 296 of the executive law, as amended by chapter 106 of the laws of 2003, is amended to read as follows:

5. (a) It shall be an unlawful discriminatory practice for the owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation, constructed or to be constructed, or any agent or employee thereof:

- (1) To refuse to sell, rent, lease or otherwise to deny to or withhold from any person or group of persons such a housing accommodation because of the race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, [or] familial status, OR SOURCE OF INCOME of such person or persons, or to represent that any housing accommodation or land is not available for inspection, sale, rental or lease when in fact it is so available.
- (2) To discriminate against any person because of race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, [or] familial status, OR SOURCE OF INCOME in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or in the furnishing of facilities or services in connection therewith.
- (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, [or] familial status, OR SOURCE OF INCOME, or any intent to make any such limitation, specification or discrimination.

## Erie County

### Erie County Code of Ordinances, Fair Housing Law

1. Refuse to sell or rent or refuse to negotiate for the sale or rental or to deny any housing accommodation to any person because of race, color, religion, sex, age, marital status, disability, national origin, **source of income**, sexual orientation, gender identity, military status, familial status or immigration and citizenship status

Discrimination includes

- (i) a refusal to permit, at the expense of a disabled person, reasonable modifications of existing premises occupied or to be occupied by such a person if such modifications may be necessary to afford such person full enjoyment of the premises (except that, in the case of rental, the landlord may where it reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted), and
- (ii) a refusal to make reasonable accommodations in the rules, policies, practices or services when such accommodation may be necessary to afford a disabled person equal opportunity to use and enjoy a housing accommodation."

## Nassau County

### Nassau County Code of Ordinances, §21-9.2 Definitions.

- d. "Discrimination" means any difference in treatment based on actual or perceived race, creed, color, national origin, ethnicity, gender, religion, **source of income**, sexual orientation, age, marital status, familial status or disability and shall include segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained, unless membership in such religion is restricted on account of race, color, or national origin."

\*\*Also see [FAQ](#) from Nassau County Government\*\*

## Suffolk County

### Suffolk County Code of Ordinances, §528-9 Unlawful discriminatory practices in the sale, lease or rental of housing accommodations or commercial property.

A. It shall be an unlawful discriminatory practice: (1) To refuse to sell, rent, lease or otherwise deny to or withhold from any individual or group of individuals any housing accommodation, constructed or to be constructed, land or commercial space, or an interest therein, or refuse to negotiate for the sale, rental or lease of any housing accommodation, land or commercial space, or an interest therein, to any individual or group of individuals, because of the group identity, veteran status, status as a victim of domestic violence or **lawful source of income** of such individual or individuals or to represent that any housing accommodation, land or commercial space, or an interest therein, is not available for inspection, sale, rental or lease when, in fact, it is so available, or to otherwise deny to or withhold any housing accommodation, land or commercial space, or an interest therein, or any facilities of any housing accommodation or commercial space from any individual or individuals because of the group identity, veteran status, status as a victim of domestic violence or lawful source of income of such or individual or individuals;

**Lawful Source of Income** Includes, but is not limited to, income derived from social security, or any form of federal, state or local public assistance or housing assistance, including the Housing Choice Voucher Program.

## Westchester County

### Westchester County Code of Ordinances, Chapter 700, Article 2, No. 4-2008, § 7

**Source of income** shall mean, as it relates to unlawful discriminatory real estate practices, lawful, verifiable income derived from social security, or any form of federal, state or local public assistance or housing assistance, grant or loan program, including the federal housing subsidy known as "Section 8", any disability payment, and assistance, grant or loan program from a private housing assistance organization.

## CITY ORDINANCES: NEW YORK

## Buffalo

### Buffalo Code of Ordinances, § 154-17 Unlawful discriminatory practices.

It shall be unlawful for any person or entity engaged in the sale or rental of housing to do the following:

- A. Refuse to sell, rent, lease, make unavailable for inspection, sale or rental, or otherwise to deny or withhold from any person or persons housing accommodation because of race, creed, color, national origin, sex, disability or reliance upon a therapy dog or cat, familial status, marital status, age, sexual orientation, gender identity and expression, military status or **source of income**.



- B. Discriminate against any person in the terms, conditions or privileges of sale, rental or lease of any housing accommodation or in the furnishing of facilities or services in connection therewith because of race, creed, color, national origin, sex, disability or reliance upon a therapy dog or cat, familial status, marital status, age, sexual orientation, gender identity and expression, military status or **source of income**.
- C. To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form or application for the purchase, rental or lease of a housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, sex, disability or reliance upon a therapy dog or cat, familial status, marital status, age, sexual orientation, gender identity and expression, military status or **source of income**.

## Hamburg

### Hamburg Code of Ordinances, § 109-3 Unlawful acts.

It shall be unlawful:

- (1) To refuse to sell or rent or refuse to negotiate for the sale or rental or to deny any dwelling to any person because of race, color, religion, sex, age, marital status, disability, national origin, **source of income**, sexual orientation, military status or because the person has a child or children.
- (2) To discriminate against any person in the terms, conditions or provision of services or facilities in connection with the sale or rental of a dwelling because of race, color, religion, sex, age, marital status, disability, national origin, **source of income**, sexual orientation, military status or because the person has a child or children.
- (3) To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry into the neighborhood of a person or persons of a particular race, color, religion, sex, age, marital status, disability, national origin, **source of income**, sexual orientation, military status or because the person has a child or children.
- (4) For a person offering residential property for sale or rent or anyone acting on behalf of such a person to print or circulate or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for the sale or rental of a dwelling or to make any record or inquiry in connection with the sale or rental of a dwelling which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religion, sex, age, marital status, disability, national origin, **source of income**, sexual orientation, military status or because the person has a child or children.

**SOURCE OF INCOME**- Payments from any lawful occupation or employment, as well as other payments, including, but not limited to, public assistance, public assistance security agreements, supplemental security income, pensions, annuities, unemployment benefits, **government subsidies such as Section 8, or other housing subsidies**.

## New York City

### New York Administrative Code Title 8 Ch.1 Sec. 8-107, 5. Housing Accommodations, land, commercial space and lending practices

- (a) Housing accommodations. It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof:
- (1) Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status of any person or group of persons, or because of **any lawful source of income** of such person or persons, or because children are, may be or would be residing with such person or persons:
    - a. To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons such a housing accommodation or an interest therein;
    - b. To discriminate against any such person or persons in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith; or
    - c. To represent to such person or persons that any housing accommodation or an interest therein is not available for inspection, sale, rental or lease when in fact it is available to such person.
  - (2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, uniformed service, marital status, partnership status, or alienage or citizenship status, or **any lawful source of income**, or whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification or discrimination.

## Rochester

### Rochester Code of Ordinances, §63-5. Discrimination in housing and commercial space.

It shall be an unlawful discriminatory practice, based on the actual or perceived **source of income**, for the owner, lessee, sublessee, assignee, or managing agent of, real estate broker, real estate salesperson or other person having the right to sell, rent or lease housing, constructed or to be constructed, or any officer, agent or employee thereof:

- (1) To refuse to show, sell, transfer, rent, lease or refuse to receive and transmit any bona fide offer to buy, sell, rent or lease any housing;

(2) To exclude, deny, restrict, limit, segregate, or otherwise differentiate against any person in the terms, conditions or privileges of the sale, rental or lease of any housing or in the furnishing of facilities or services in connection therewith; or

(3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of housing or to make any record or inquiry in connection with the prospective purchase, rental or lease of housing which expresses, directly or indirectly, any differentiation or intent to differentiate on the basis of source of income.

D. The following conduct shall not constitute an unlawful discriminatory practice under Subsection C:

(1) An inquiry, required disclosure, or required verification about a person's source of income that is necessitated by a federal, state, or local law that is generally applicable, applicable to the housing at issue, or applicable to the financing or subsidies necessary to a person's purchase or leasing of such housing.

## Syracuse

### Syracuse Code of Ordinances, Sec. 8-4 Unlawful discriminatory practices. Housing accommodation and commercial space.

5. It shall be an unlawful discriminatory practice for the owner, lessee, sublessee, assignee, or managing agent of publicly assisted housing accommodations or other person having the right of ownership or possession of or the right to rent or lease such accommodations or to otherwise deal or interact with potential tenants or applicants for tenancy, to the extent not inconsistent with federal or state law:

(a) To refuse to rent or lease or otherwise to deny to or withhold from any person or group of persons such housing accommodations because of that person's **source of income** or the sexual or affectional preference or orientation and/or actual or perceived sex, or gender identity or expression of such person or persons.

(b) To discriminate against any person because of that person's **source of income** or her or his sexual or affectional preference or orientation and/or that person's actual or perceived sex, or gender identity or expression in the terms, conditions, or privileges of any publicly assisted housing accommodations or in the furnishing of facilities or services in connection therewith.

## West Seneca

### West Seneca Code of Ordinances, § 71-3 Acts of discrimination.

It shall be unlawful:

A. To refuse to sell or rent or refuse to negotiate for the sale or deny a dwelling to any person because of race, color, religion, sex, age, marital status, handicap, national origin, **source of income** or because the person has a child or children.

B. To discriminate against any person in the terms, conditions or provision of services or facilities in connection with the sale or rental of a dwelling because of race, color, religion,

sex, age, marital status, handicap, national origin, **source of income** or because the person has a child or children.

C. To induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, age, marital status, handicap, national origin or **source of income** or a person or persons with children.

D. For a person offering residential property for sale or rent or anyone acting on behalf of such a person to print or circulate or cause to be printed or circulated any statement, advertisement or publication or to use any form of application for the sale or rental of a dwelling or to make any record or inquiry in connection with the sale or rental of a dwelling which expresses, directly or indirectly, any limitation, specification or discrimination as to race, color, religion, sex, age, marital status, handicap, national origin, **source of income** or the presence of children in the family or which expresses, directly or indirectly, any intent so to limit, specify or discriminate.

## WASHINGTON

## STATEWIDE SOI LAWS AND LOCAL SOI ORDINANCES IN EFFECT

### Washington Code, Ch.66, Sec. 1 Housing-Source of Income.

A new section is added to chapter 59.18 RCW to read as follows:

(1) A landlord may not, based on the **source of income** of an otherwise eligible prospective tenant or current tenant:

(a) Refuse to lease or rent any real property to a prospective tenant or current tenant, unless the:

(i) Prospective tenant's or current tenant's source of income is conditioned on the real property passing inspection;

(ii) written estimate of the cost of improvements necessary to pass inspection is more than one thousand five hundred dollars; and

(iii) landlord has not received moneys from the landlord 1 mitigation program account to make the improvements;

(b) Expel a prospective tenant or current tenant from any real property;

## COUNTY ORDINANCES: WASHINGTON

### King County – UNINCORPORATED AREAS ONLY

### King County Code of Ordinances, Chapter 12, 12.20.020 Definitions.

A. It is a discriminatory practice and unlawful for any person, whether acting for himself or herself or another, because of race, color, religion, national origin, ancestry, age, gender, marital status,

parental status, **participation in the Section 8 program**, sexual orientation, disability or use of a service or assistive animal by an individual with a disability:

1. To refuse to engage in a real estate transaction with a person or to otherwise make unavailable or deny a dwelling to any person;
2. To discriminate against a person in the terms, conditions or privileges of a real estate transaction, including financial terms and conditions such as the setting of rents or damage deposits, or in the furnishing of facilities or services in connection with any real estate transaction; however, rents and damage deposits may be adjusted to recognize the number of persons utilizing the property except insofar as such adjustment might discriminate based on race, color, religion, national origin, ancestry, age, gender, marital status, parental status, participation in the Section 8 program, sexual orientation, disability or use of a service or assistive animal by an individual with a disability

D. "Discriminate" means any action or failure to act, whether by single act or as part of a practice, the effect of which is to adversely affect or differentiate between or among individuals or groups of individuals, because of race, color, religion, national origin, ancestry, age, gender, marital status, parental status, **participation in the Section 8 program**, sexual orientation, disability, or use of a service or assistive animal by an individual with a disability.

## CITY ORDINANCES: WASHINGTON

### Bellevue

#### Bellevue Code of Ordinances, 9.20.040 Unfair housing practices designated.

- A. No owner, lessee, sublessee, assignee, real estate broker, real estate salesman, managing agent of a housing accommodation or other person having the right to sell, rent, lease, sublease, assign, transfer or otherwise dispose of a housing accommodation shall refuse to sell, rent, lease, sublease, assign, transfer or otherwise deny to or withhold from any person or group of persons such housing accommodations, or segregate the use thereof, or represent that such housing accommodations are not available for inspection, when in fact they are so available, or expel or evict an occupant from a housing accommodation because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, familial status, marital status, veteran/military status, **or Section 8 status** of such person or persons or discriminate against or segregate any person because of race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, familial status, or marital status of such person, in the terms, conditions or privileges of the sale, rental, lease, sublease, assignment, transfer or other disposition of any such housing accommodations or in the furnishing of facilities or services in connection therewith.

### Bellingham

#### Bellingham Code of Ordinances, 6.11.020 Refusal to rent based on source of income prohibited.

- A. No person shall refuse to rent a rental unit to any rental applicant on the basis that the applicant proposes to rent such unit with a **source of income** as defined in this chapter.

B. If tenant income screening criteria are used, the amount of the rent voucher or subsidy must be subtracted from the total of the monthly rent prior to calculating whether the income criteria have been met.

C. No person shall make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement, with respect to the rental of a rental unit that indicates any preference, limitation, or discrimination based on source of income as defined in this chapter, or an intention to make any such preference, limitation, or discrimination.

D. Nothing in this chapter shall be interpreted or construed to prohibit any person from making a choice among prospective tenants on the basis of factors other than source of income, subject to other federal, state, or local laws prohibiting nondiscrimination in housing.

“Source of income” includes income derived from Social Security, supplemental security income, other retirement programs, and any federal, state, local or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs. “Source of income” does not include income derived in an illegal manner.

## **Kent**

### **Kent Code of Ordinances, 10.01.030 Applicability.**

Nothing in this chapter will apply if the dwelling unit does not qualify for participation in the tenant’s “**source of income**” program. However, any property owner or manager that refuses to rent a dwelling unit to a person based upon the proposed use of funds from a “source of income” must notify that person in writing of the reasons why the dwelling unit is ineligible for participation in the particular “source of income” program. Refusal to allow a health and safety inspection of the property by a public housing authority will not be considered a legitimate basis for refusing to rent due to program ineligibility.

“Source of income” includes income derived from social security, supplemental security income, other retirement programs, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs. “Source of income” does not include income derived in an illegal manner.

## **Kirkland**

### **Kirkland Code of Ordinances, 7.74.010 Refusal to rent based solely on Section 8 voucher or certificate request prohibited.**

No person shall refuse to rent a dwelling unit to any rental applicant solely on the basis that the applicant proposes to rent such unit pursuant to a Section 8 voucher or certificate issued under the Housing and Community Development Act of 1974 (42 U.S.C. 1437f); provided, this section shall only apply with respect to a Section 8 certificate if the monthly rent on such residential unit is within the allowable rent as established by the Department of Housing and Urban Development. “Dwelling unit” shall have the meaning set forth in KZC 5.250. (Ord. 4384 § 2 (part), 2013)

**7.74.020 Exceptions.** (a) Nothing in this chapter shall:

- (1) Apply to the renting, subrenting, leasing, or subleasing of a portion of a single-family dwelling, wherein the owner or person entitled to possession thereof maintains a permanent residence, home or abode therein;
- (2) Be interpreted to prohibit any person from making a choice among prospective tenants on the basis of factors other than participation in a Section 8 program;
- (3) Prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on the basis of race, color, national origin or other illegal discriminatory basis;
- (4) Be construed to prohibit treating people with disabilities more favorably than people who do not have disabilities;
- (5) Be construed to protect criminal conduct;

## Olympia

### Olympia Code of Ordinances, 5.80.010 Declaration of policy.

It is declared to be the policy of the city in the exercise of its police power for the public safety, public health, and general welfare, for the maintenance of business and good government, and to assure equal opportunity to all persons to live in decent housing facilities regardless of race, color, religion, ancestry, national origin, gender, familial status, the presence of any sensory, mental, or physical disability, the use of a trained guide dog or service animal by a disabled person, marital status, sexual orientation, or gender identity, or the perception thereof, **or use of vouchers for payment of rent offered by any governmental agency on behalf of a prospective tenant or lessee**, and to that end to prohibit discrimination in housing by any person, including real estate brokers, associate brokers, salespersons, owners of real property and lenders to forward the cause of community, and to secure a reduction of all tensions and discriminations because of race, color, religion, national origin, gender, familial status, the presence of any sensory, mental, or physical disability, the use of a trained guide dog or service animal by a disabled person, marital status, sexual orientation, or gender identity, or the perception thereof.

## Redmond

### Redmond Code of Ordinances, 6.38.010 Purpose.

(A) The Redmond council finds and declares that practices of housing discrimination against any persons on the basis of participation in the Section 8 program constitute matters of local concern and are contrary to the public welfare, health, peace and safety of the residents of Redmond. (Ord. 2645 § 1 (part), 2012).

6.38.020 Prohibitions. (A) No person shall refuse to rent a dwelling unit to any rental applicant solely on the basis that the applicant proposes to rent such unit pursuant to a Section 8 voucher or certificate issued under the Housing and Community Development Act of 1974 (42 USC 1437(F));

provided this section shall only apply with respect to a Section 8 certificate if the monthly rent on such residential unit is within the allowable rent as established by the Department of Housing and Urban Development. "Dwelling unit" shall have the meaning set forth in RZC 21.78. (Ord. 2645 § 1 (part), 2012).

## Renton

### Renton Municipal Code Title 6 Ch. 32, 6-32-1 Income Source Discrimination Prohibited

A. Property owners, property managers, landlords, and their agents, who rent or lease dwelling units shall not, based on the **source of income** of an otherwise eligible prospective tenant or current tenant:

1. Refuse to rent or lease any dwelling unit to a prospective tenant or current tenant, unless the: (i) prospective tenant's or current tenant's source of income is conditioned on the dwelling unit passing inspection; (ii) written estimate of the cost of improvements necessary to pass inspection is more than one thousand five hundred dollars (\$1,500); and (iii) the property owner, property manager, landlord, or their agent has not received moneys from the Washington Department of Commerce landlord mitigation program account to make the improvements;
2. Expel a prospective tenant or current tenant from any dwelling unit;
3. Make any distinction, discrimination, or restriction against a prospective tenant or current tenant in the price, terms, conditions, fees, or privileges relating to the rental, lease, or occupancy of a dwelling unit or in the furnishing of any facilities or services in connection with the rental, lease, or occupancy of a dwelling unit;
4. Attempt to discourage the rental or lease of any dwelling unit to a prospective tenant or current tenant;
5. Assist, induce, incite, or coerce another person to commit an act or engage in a practice that violates this Chapter;
6. Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of the person having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected under this Chapter;
7. Represent to a person that a dwelling unit is not available for inspection or rental when the dwelling unit in fact is available for inspection or rental; or
8. Otherwise make unavailable or deny a dwelling unit to a prospective tenant or current tenant that, but for his or her source of income, would be eligible to rent the dwelling unit.



## Seattle

### Seattle Code of Ordinances, 14.08.040 Unfair practices—Generally.

It is an unfair practice for a person to fail to:

1. cooperate with a potential or current occupant in completing and submitting required information and documentation for the potential or current occupant to be eligible for or to receive rental assistance from Section 8 or other subsidy program;
2. accept a written pledge or commitment by a Section 8 or other subsidy program to pay for past due or current housing costs, and court costs or reasonable attorney's fees already incurred and directly related to recovery of the unpaid housing costs lawfully owed, under all of the following conditions:

By itself or in combination with: other payments from a Section 8 or other subsidy program, and any verifiable **source of income** including but not limited to wages, salaries, or other compensation for employment, and all alternative sources of income, the written pledge or commitment is sufficient to allow the occupant to become current on all housing costs, and court costs or reasonable attorney's fees already incurred and directly related to the recovery of the unpaid housing costs lawfully owed once the pledge or commitment is fulfilled.

## Spokane

### Spokane Municipal Code Title 18 Ch. 18.01

The City of Spokane finds that discrimination based on race, religion, creed, color, sex, national origin, marital status, familial status, domestic violence victim status, age, sexual orientation, gender identity, honorably discharged veteran or military status, refugee status, the presence of any sensory, mental or physical disability as defined by the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq, and/or the Washington State Law Against Discrimination, Chapter 49.60 RCW, or the receipt of, or eligibility for the receipt of, funds from any **housing choice or other subsidy program** or alternative source of income poses a substantial threat to the health, safety and general welfare of the citizens of Spokane. The City deems it necessary and proper to enact a local ordinance to address these issues.

**Housing choice or other subsidy program** (or alternative source of income) means, without limitation:

- (i) any short or long term federal, state or local government, private nonprofit, or other assistance program in which a tenant's rent is paid either partially by the program (through a direct arrangement between the program and the owner or lessor of the real property), and partially by the tenant or completely by the program; or
- (ii) HUD-Veteran Affairs Supportive Housing (VASH) vouchers, Housing and Essential Needs (HEN) funds, and short-term rental assistance provided by Rapid Rehousing subsidies. (Sec. 18.01.030)

## Tumwater

### Tumwater Code of Ordinances, 5.70.040 Unfair housing practices – Designated.

A. No owner, lessee, sublessee, assignee, real estate broker, real estate salesman, managing agent of, or other person having the right to sell, rent, lease, sublease, assign, transfer, or otherwise dispose of a housing accommodation shall refuse to sell, rent, lease, sublease, assign, transfer, or otherwise deny to, or withhold from any person or group of persons such housing accommodations, or segregate the use thereof, or represent that such housing accommodations are not available for inspection, when in fact they are so available, or expel or evict an occupant from a housing accommodation because of the race, color, religion, ancestry, sensory, mental, or physical disability, national origin, gender, familial status, marital status or sexual orientation of such person or persons, or **use of federal housing assistance by such person or persons**, or discriminate against or segregate any person because of his/her race, color, religion, ancestry, national origin, gender, sensory, mental, or physical disability, familial status, marital status, sexual orientation or use of federal housing assistance, in the terms, conditions, or privileges of the sale, rental, lease, sublease, assignment, transfer or other disposition of any such housing accommodations or in the furnishing of facilities or services in connection therewith.

## Vancouver

### Vancouver Code of Ordinances, Section 8.45.020 - Refusal to rent based on source of income prohibited

No person shall refuse to rent a dwelling unit to any rental applicant on the basis that the applicant proposes to rent such unit with a “**source of income**” as defined in this Chapter.

"Source of income" includes income derived from social security, supplemental security income, other retirement programs, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs.

## CONNECTICUT

## STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

### Connecticut Code, §46a-64c Discriminatory housing practices prohibited.

(a) It shall be a discriminatory practice in violation of this section:

- (1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, **lawful source of income** or familial status.
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, **lawful source of income** or familial status.
- (3) To make, print or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates

any preference, limitation, or discrimination based on race, creed, color, national origin, ancestry, sex, gender identity or expression, marital status, age, **lawful source of income**, familial status, learning disability or physical or mental disability, or an intention to make any such preference, limitation or discrimination.

## DISTRICT OF COLUMBIA

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

#### District of Columbia Code, §42–2851.06 Section 8 assistance considered income for non-discrimination & minimum income purposes.

Section 8 assistance considered income for non-discrimination and minimum income purposes; requirement to accept section 8 vouchers.

- (a) The monetary assistance provided to an owner of a housing accommodation under section 8 of the United States Housing Act of 1937, either directly or through a tenant, shall be considered the income of the tenant for the purposes of any minimum income qualification for a dwelling unit in the housing accommodation.
- (b) The monetary assistance provided to an owner of a housing accommodation under section 8 of the United States Housing Act of 1937, either directly or through a tenant, shall be considered income and a **source of income** under § 2-1402.21.
- (c) The owner of a housing accommodation shall not refuse to rent a dwelling unit to a person because the person will provide his or her rental payment, in whole or in part, through a section 8 voucher.

## HAWAII

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

#### Hawaii Code, S.B. No. 127 Landlord-Tenant Code to prohibit discrimination based on source of income.

According to testimony received by your Committee, in recent years, a number of courts have held that state discrimination laws that protect against **source of income** discrimination are not preempted by federal Section 8 law and that the burden of participating in the Section 8 program is not onerous.

This measure amends the State's Landlord-Tenant Code to prohibit discrimination in rental transactions, including advertisements for available rental dwelling units, based on lawful **source of income** and ensures that low-income individuals and families are able to access housing opportunities that may otherwise be unavailable to them.

- (1) Adding the prohibitions against discrimination in rental transactions based on source of income into a new chapter of the Hawaii Revised Statutes, rather than as a new part in the Landlord-Tenant Code.

## HRS § 201H-36

Prohibits discrimination against tenants based solely on receipt of Section 8 housing assistance. Limited to developers who are building affordable housing and seeking tax credits would be required to accept Section 8 tenants.

## NEW JERSEY

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

## New Jersey Code, §10:5-12

Unlawful employment practices, discrimination.

(1) To refuse to sell, rent, lease, assign, or sublease or otherwise to deny to or withhold from any person or group of persons any real property or part or portion thereof because of race, creed, color, national origin, ancestry, marital status, civil union status, domestic partnership status, sex, gender identity or expression, affectional or sexual orientation, familial status, disability, nationality, or **source of lawful income** used for rental or mortgage payments;

(2) To discriminate against any person or group of persons because of race, creed, color, national origin, ancestry, marital status, civil union status, domestic partnership status, sex, gender identity or expression, affectional or sexual orientation, familial status, disability, nationality or **source of lawful income** used for rental or mortgage payments in the terms, conditions or privileges of the sale, rental or lease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith;

## NORTH DAKOTA

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

## North Dakota Code, §14-02.5-07 Residential real estate-related transaction.

A person whose business includes engaging in residential real estate-related transactions may not discriminate against an individual in making a real estate-related transaction available or in the terms or conditions of a real estate-related transaction because of race, color, religion, sex, disability, age, familial status, national origin, or status with respect to marriage or **public assistance**. A residential real estate-related transaction is the selling, brokering, or appraising of residential real property or the making or purchasing of loans or the provision of other financial assistance to purchase, construct, improve, repair, maintain a dwelling, or to secure residential real estate. Nothing in this section prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, sex, disability, age, familial status, national origin, or status with respect to marriage.

Oregon Code, §659A.421 Discrimination in selling, renting or leasing real property prohibited.

(2) A person may not, because of the race, color, religion, sex, sexual orientation, national origin, marital status, familial status or **source of income** of any person:

(a) Refuse to sell, lease or rent any real property to a purchaser. This paragraph does not prevent a person from refusing to lease or rent real property to a prospective renter or prospective lessee.

(A) Based upon the past conduct of a prospective renter or prospective lessee provided the refusal to lease or rent based on past conduct is consistent with local, state and federal law, including but not limited to fair housing laws; or

(B) Based upon the prospective renter's or prospective lessee's inability to pay rent, taking into account the value of the prospective renter's or prospective lessee's local, state and federal housing assistance, provided the refusal to lease or rent based on inability to pay rent is consistent with local, state and federal law, including but not limited to fair housing laws.

**"Source of income"** includes federal rent subsidy payments under 42 U.S.C. 1437f and any other local, state or federal housing assistance."

Utah Code, 57-21-5 Discriminatory practices enumerated - Protected persons, classes enumerated.

(1) It is a discriminatory housing practice to do any of the following because of a person's race, color, religion, sex, national origin, familial status, **source of income**, disability, sexual orientation, or gender identity:

(a) {Listed}:

(i) refuse to sell or rent after the making of a bona fide offer;

(ii) refuse to negotiate for the sale or rental; or

(iii) otherwise deny or make unavailable a dwelling from any person;

(b) discriminate against a person in the terms, conditions, or privileges:

(i) of the sale or rental of a dwelling; or

(ii) in providing facilities or services in connection with the dwelling; or

(c) represent to a person that a dwelling is not available for inspection, sale, or rental when the dwelling is available.

(2) It is a discriminatory housing practice to make a representation orally or in writing or make, print, circulate, publish, post, or cause to be made, printed, circulated, published, or posted any notice, statement, or advertisement, or to use any application form for the sale or rental of a dwelling, that directly or indirectly expresses any preference, limitation, or discrimination based on race, color,

religion, sex, national origin, familial status, **source of income**, disability, sexual orientation, or gender identity, or expresses any intent to make any such preference, limitation, or discrimination.

(24) "**Source of income**" means the verifiable condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.

## VERMONT

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

#### Vermont Code, §4503. Unfair housing practices.

(a) It shall be unlawful for any person:

(1) To refuse to sell or rent, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling or other real estate to any person because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a **person is a recipient of public assistance**.

(2) To discriminate against, or to harass any person in the terms, conditions, or privileges of the sale or rental of a dwelling or other real estate, or in the provision of services or facilities in connection therewith, because of the race, sex, sexual orientation, gender identity, age, marital status, religious creed, color, national origin, or disability of a person, or because a person intends to occupy a dwelling with one or more minor children, or because a **person is a recipient of public assistance**.

## VIRGINIA

### STATES & FEDERAL DISTRICTS WITH STATEWIDE & DISTRICTWIDE SOI LAWS

#### VA. CODE. ANN. § 36-96.1. Declaration of policy:

(B) It is the policy of the Commonwealth of Virginia to provide for fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, **source of funds**, or handicap, and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all the inhabitants of the Commonwealth may be protected and ensured. This law shall be deemed an exercise of the police power of the Commonwealth of Virginia for the protection of the people of the Commonwealth.

'**Source of funds**' means any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.

CITY ORDINANCES:  
COLORADO**Boulder****Boulder Code of Ordinances, Title 12 - Human Rights**

“Discrimination in Housing Prohibited. It is an unfair housing practice, and no person:

(1) Who has the right of ownership or possession or the right of transfer, sale, rental, or lease of any housing or any agent of such person shall:

(A) Refuse to show, sell, transfer, rent, or lease, or refuse to receive and transmit any bona fide offer to buy, sell, rent, or lease, or otherwise to deny to or withhold from any individual such housing because of the race, creed, color, sex, sexual orientation, gender variance, genetic characteristics, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child, mental or physical disability, **source of income**, or immigration status unless otherwise required by law, of that individual or such individual's friends or associates;

(B) Discriminate against any individual because of the race, creed, color, sex, sexual orientation, gender variance, genetic characteristics, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child, mental or physical disability, source of income, or immigration status unless otherwise required by law, of the individual or such individual's friends or associates in the terms, conditions, or privileges pertaining to any facilities or services in connection with a transfer, sale, rental, or lease of housing; or

(C) Cause to be made any written or oral inquiry or record concerning the race, creed, color, sex, sexual orientation, gender variance, genetic characteristics, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child, mental or physical disability, source of income, or immigration status unless otherwise required by law, of an individual seeking to purchase, rent, or lease any housing or of such individual's friends or associates, but nothing in this section prohibits using a form or making a record or inquiry for the purpose of required government reporting or for a program to provide opportunities for persons who have been traditional targets of discrimination on the bases here prohibited; origin, ancestry, pregnancy, parenthood, custody of a minor child, mental or physical disability, source of income, or immigration status unless otherwise required by law, of an individual seeking such financial assistance, such individual's friends or associates, or prospective occupants or tenants of such housing

## Denver

### Denver Revised Municipal Code Ch. 3 Art. IV Sec. 28-95

It shall be a discriminatory practice to do any of the following acts based upon the race, color, religion, national origin, gender, age, sexual orientation, gender variance, marital status, **source of income**, military status or physical or mental disability of any individual:

- (1) To interrupt or terminate or refuse to initiate or conduct any transaction in real property or to require different terms for such transaction or to represent falsely that an interest in real property is not available for transaction;
- (2) To include in the terms or conditions of a transaction in real property any clause, condition or restriction prohibited by this article;
- (3) To refuse to lend money, guarantee a loan, accept a deed of trust or mortgage or otherwise refuse to make funds available for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of real property or impose different conditions on such financing or refuse to provide title or other insurance, relating to the ownership or use of any interest in real property;
- (4) To refuse or restrict facilities, service, repairs or improvements for a tenant or lessee;
- (5) To communicate, make, print or publish or cause to be communicated, made, printed or published any notice, statement or advertisement with respect to a transaction or proposed transaction in real property or financing related thereto, which notice, statement or advertisement indicates or attempts to indicate any preference, limitation or discrimination based on race, color, religion, national origin, gender, age, sexual orientation, gender variance, marital status, **source of income**, military status, family status or physical or mental disability of any individual

**Source of income:** Any lawful, verifiable source of income or housing assistance paid to or on behalf of a renter or buyer including, but not limited, to monies from any occupation or activity, from any contract, agreement, loan or settlement, from any court-ordered payments such as child support, from payments received as gifts, bequests, annuities or life insurance policies, or from federal, state or local payments, including disability benefits and housing choice vouchers or any other rent subsidy or rent assistance program and related program requirements.



COUNTY ORDINANCES:  
FLORIDA**Broward County****Broward County Code of Ordinances, Article 1, Sec. 16 ½ -2 Purposes; construction.**

(1) To secure for all individuals within the County freedom from discrimination because of race, color, religion, sex, national origin, age, marital status, political affiliation, familial status, disability, sexual orientation, pregnancy, gender identity or expression, veteran or service member status, **lawful source of income**, or being the victim of dating violence, domestic violence, or stalking, in connection with employment, public accommodations, or real estate transactions, where applicable, and thereby to promote the interests, rights, and privileges of individuals within the County.

(b) The Broward County Human Rights Act shall be liberally construed to further the general purposes stated in this chapter. The provisions of this Act shall be construed consistent with similar federal and state statutes.

Sec. 16½-3. - Definitions. (p) Discriminatory classification means a classification on the basis of race, color, religion, sex, national origin, age, marital status, political affiliation, familial status, disability, sexual orientation, pregnancy, gender identity or expression, veteran or service member status, **lawful source of income**, or being the victim of dating violence, domestic violence, or stalking. Familial status, veteran or service member status, **lawful source of income**, or being the victim of dating violence, domestic violence, or stalking shall only be included in this definition for the purpose of claims alleging a discriminatory housing practice under this Act. Sec 16 ½-35. – Discriminatory practices in real estate transactions It is unlawful for any person, including but not limited to any owner, lessee, lessor, sublessee, sublessor, assignee, assignor, manager, real estate broker, salesperson, condominium association, homeowners' association, cooperative association, or any representative of any of the foregoing: (a) To refuse to sell or rent after the making of a bona fide offer, to refuse to negotiate for the sale or rental of, or otherwise to make unavailable or deny, a dwelling to any person because of a discriminatory classification.

**Hillsborough County****Hillsborough County Code of Ordinances, Part A, Chapter 16.014, Section IV Tenant's Bill of Rights, Source of Income Anti- Discrimination And Notice Of Late Fees Ordinance (Ord. No. 21-7 , § 1, 3-5-2021).**

It shall be unlawful and is hereby prohibited for any Person:

(1) To refuse to rent, show or lease, to refuse to negotiate for the rental of, or otherwise to make unavailable or deny, a Rental Unit to any Tenant because of that Tenant's **Lawful Source of Income**, or because of the Tenant's status with regard to a public assistance program, or because of any requirements of a public assistance program.

## Miami-Dade County

### Miami-Dade County Code of Ordinances, Article 2, Sec. 11A-12 Unlawful housing practices.

(1) Discrimination in sale or rental of housing and other prohibited practices. It shall be unlawful for any person, owner, financial institution, real estate broker, real estate agent or any representative of the above to engage in any of the following acts because of race, color, religion, ancestry, national origin, age, sex, pregnancy, disability, marital status, familial status, gender identity, gender expression, sexual orientation, **source of income**, or actual or perceived status as a victim of domestic violence, dating violence or stalking, of a prospective buyer, renter, lessee.

## GEORGIA

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: GEORGIA

## Atlanta

### City of Atlanta Code of Ordinances Part 94 – Human Relations; Article IV – Fair Housing Sec. 94-91, Sec. 94-92, Sec. 94-94

Sec. 94-94. – Unlawful practices in selling or renting dwellings.

(a) Except as exempted by subsection (b) or (d) of this section or section 94-97 it shall be unlawful:

(1) To refuse to sell or rent, after the making of a bona fide offer, or refuse to negotiate for the sale or rental of or otherwise make unavailable or deny a dwelling to any person because of the person's, or a perception of the person's, race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, disability, or the use of a service animal, or **refuse to consider any source of income in the same manner as ordinary wage income.**

**Source of income:** Any lawful, verifiable source of income or housing assistance paid to or on behalf of a renter or buyer including, but not limited to monies from any occupation or activity, from any contract, agreement, loan or settlement, from any court-ordered payments such as child support, from payments received as gifts, bequests, annuities or life insurance policies, or from federal, state or local payments, including disability benefits and housing choice vouchers or any other rent subsidy or rent assistance program and related program requirements.

COUNTY ORDINANCES:  
ILLINOIS**Cook County****Cook County Human Rights Ordinance Ch. 42 Art. II Sec. 42-38****(B) PROHIBITIONS**

(1) **TERMS AND CONDITIONS.** No person shall make any distinction, discrimination, or restriction in the price, terms, conditions, or privileges of any real estate transaction, including the decision to engage in or renew any real estate transaction, on the basis of **unlawful discrimination**.

(2) **DISCRIMINATORY COMMUNICATIONS.** No person shall 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 a real estate transaction which will indicate or express any unlawful limitation or discrimination on the basis of **unlawful discrimination**.

(3) **LISTINGS.** No person shall deliberately and knowingly refuse examination of any listing of residential real property within Cook County to any individual because of **unlawful discrimination**.

“Unlawful discrimination” means discrimination against a person because of the actual or perceived status, practice, or expression of that person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, **source of income**, gender identity or housing status; or the actual or perceived association with such a person.

## Chicago

### Municipal Code of Chicago Title 5 Ch. 5-8 Sec. 5-8-020 – Discrimination Prohibited.

It is further declared to be the policy of the City of Chicago that no owner, lessee, sublessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent or lease any housing accommodation, within the City of Chicago, or any agent of any of these, should refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations because of his race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status or source of income of such person or persons or discriminate against any person because of his race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status or **source of income** in the terms, conditions, or privileges or the sale, rental or lease of any housing accommodation or in the furnishing of facilities or services in connection therewith.

**“Source of income”** means the lawful manner by which an individual supports himself and his or her dependents.

## Glenview

### Glenview Code of Ordinances, §18-1050. Declaration of Policy

It is hereby declared to be the policy of the Village of Glenview, in the exercise of its police power for the protection of the public safety, public health, public morals and public welfare, and for the promotion of equal opportunity to all persons to live in decent facilities, regardless of the actual or perceived status, practice or expression of that person's race, color, religion, age, or national origin, or ancestry, sex, age, sexual orientation, marital status, parental status, military discharge status, **source of income**, or housing status, or the actual or perceived association with such a person, to prohibit discrimination in housing and real estate transactions. Source of income means the lawful manner by which an individual supports himself or herself and his or her dependents. **Unlawful discrimination:** discrimination against a person because of the actual or perceived status, practice, or expression of that person's race, color, sex, age, religion, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, or housing status; or the actual or perceived association with such a person.

## Harwood Heights

### Harwood Code of Ordinances, 19.04.010 Declaration of policy.

A. It is declared to be the public policy of the village and the purpose of this chapter, in the exercise of its power to regulate for the protection of the public health, safety, morals and welfare, and to maintain and promote commerce and good government in the village and to acknowledge the value of diversity within the village, to assure fair housing and freedom from the effects of residential segregation by race, color, creed, sex, age, religion, disability, national origin, ancestry, sexual

orientation, marital status, parental status, military discharge status, **source of income**, gender identity, or housing status, to promote population diversity in a free and open community, to secure for all persons in the village equal opportunities to view, purchase, lease, rent or otherwise occupy real estate without discrimination, and to secure for its citizens the economic, social and professional benefits of living in an integrated society.

## Naperville

### Naperville Code of Ordinances, 10-5: Fair Housing

#### 10-5-1: Declaration of Policy

It is the policy of the City that all individuals shall have an equal opportunity to purchase, own, lease, and occupy housing within the City without being discriminated against based on race, color, religion, sex, national origin, ancestry, age, marital status, familial status, physical or mental handicap or disability, military status, sexual orientation, or **legal source of income**. It is also the policy of the City that members of those protected classes shall have the right to be free from discriminatory practices when engaging in real estate transactions and seeking access to financial credit for real estate transactions. The City's fair housing regulations shall be consistent with and, in some cases, more stringent than the provisions of the Fair Housing Act (42 USC Section 3601 et seq., as amended) and the Illinois Human Rights Act [12]. Both laws as used in this Chapter shall be identified as the "Fair Housing Act" and the "Illinois Human Rights Act" without citation to the Statutes unless a specific citation is necessary.

#### 10-5-3: Unlawful Discrimination Prohibited

No person shall engage in unlawful discrimination in violation of any provision of the Fair Housing Act, Article 3 or 4 of the Illinois Human Rights Act, Chapter 11 of the BOCA National Building Code (Accessibility), as amended, the Illinois Accessibility Code (71 Illinois Administrative Code Section 400 et seq.), as amended, or any other applicable law or ordinance. Any amendments to those laws made after the effective date of this Chapter shall be incorporated by reference into this Section without formal action by the City. If any provisions of the laws and codes are in conflict or are otherwise inconsistent, then the more stringent or restrictive provision shall prevail and shall be enforced by the City.

**Unlawful Discrimination:** Discrimination against a person because of his or her race, color, religion, sex, national origin, ancestry, age, marital status, familial status, physical or mental handicap or disability, military status, sexual orientation, or **legal source of income**.

**Legal source of income:** Any lawful income, subsidy or benefit with which an individual supports himself or herself and his or her dependents, including but not limited to, child support, maintenance, and any federal, state or local public assistance, medical assistance or rental assistance program, provided that:

- (1) nothing in this Chapter prevents an owner or agent acting in good faith from taking into consideration factors other than legal sources of income such as credit history, criminal history or reference;

(2) nothing in this Chapter shall require or prevent any person whose property, upon inspection by the Housing Authority, fails to meet federal housing quality standards in connection with the federal Housing Choice Voucher program to lease or rent a unit to a prospective tenant who is relying on such subsidy, payment assistance contribution or voucher for payment of part or all of the rent for such unit;

(3) in addition, in such time as a landlord is waiting for an inspection or other agency response relative to a Housing Choice Voucher participant's application for rental of the landlord's housing unit, this Chapter shall not prohibit such landlord from choosing to rent such unit to another applicant who may or may not be a Housing Choice Voucher participant.

## Urbana

### Urbana Code of Ordinances, Sec. 12-61. Discrimination in opportunities, generally.

(a) Every individual shall be afforded the opportunity to participate fully in the economic, cultural and intellectual life that is available in the city, which shall include but not be limited to opportunities in employment, housing, places of public accommodation and credit or commercial transactions.

(b) It shall further be unlawful to discriminate in the provisions of any of the foregoing opportunities.

(c) With respect to age, physical or mental disability, matriculation or **source of income**, it shall not be an unlawful practice to accord preferential treatment to any individual when such treatment is designed to promote the safety, health or welfare of such individuals because of their circumstances, relative to their age, physical or mental disability, matriculation or source of income, which would not normally allow them to enjoy, to the fullest extent, those benefits of our society which are generally available to others.

## Wheeling – DOES NOT COVER SECTION 8 HOUSING VOUCHERS

### Wheeling Code of Ordinances, §6.14.070 Blockbusting.

No person shall solicit for sale, lease or listing for sale or lease, residential real property within the village of Wheeling on the grounds of loss of value due to the present or prospective entry into any neighborhood of any individual or individuals of any particular race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, **source of income**, or housing status. No person shall distribute or cause to be distributed written material or statements designed to induce any owner of residential real property in the village of Wheeling to sell or lease his, her or its property because of any prospective change in the race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, or housing status.

CITY ORDINANCES:  
IOWA**Des Moines****Des Moines Code of Ordinances Ch. 62 Article IV: Discriminatory Housing Practices****Sec. 62-101. Enumeration of illegal practices.**

(a) It shall be an illegal discriminatory housing practice for any person, or for any owner or person acting for an owner of rights to a dwelling, with or without compensation, including but not limited to persons licensed as real estate brokers or salespersons, attorneys, auctioneers, appraisers, agents or representatives by power of attorney or appointment, or any person acting under court order, deed of trust, or will to:

- (1) Refuse to sell, lease or rent after making of a bona fide offer; refuse to show or represent that a dwelling is unavailable; or refuse to negotiate for the sale, lease or rental of any dwelling or refuse to sublease or assign or otherwise make unavailable or deny a dwelling to any person because of race, religion, creed, color, sex, sexual orientation, gender identity, national origin, ancestry, disability, familial status, or **source of income**.

**Sources of income:** Any sources of income or support received directly or indirectly on behalf of a renter or buyer of housing to purchase or rent housing. It includes any pension, annuity, child support, or alimony, or any tax supported federal, state or local funds, including social security, supplemental security income temporary assistance, general relief, food stamps, unemployment compensation, housing choice voucher rent subsidies or similar programs.

**Iowa City****Iowa City Code of Ordinances, (Ord. 15-4650, 12-15-2015) 2-3-5: HOUSING; EXCEPTIONS: It shall be an unlawful or discriminatory practice for any person.**

A. To refuse to sell, rent, lease, assign, sublease, refuse to negotiate or to otherwise make unavailable, or deny any real property or dwelling or part, portion or interest therein, to any person because of the age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or **public assistance source of income** of that person. (Ord. 15-4650, 12-15-2015; amd. Ord. 16-4678, 10-4-2016) B. To discriminate against any other person in the terms, conditions or privileges of any real estate transaction because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or **public assistance source of income**. C. To directly or indirectly advertise, or in any other manner indicate or publicize in any real estate transaction that any person is not welcome or not solicited because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents or **public assistance source of income**. (Ord. 15-4650, 12-15-2015) D. To discriminate against the lessee or purchaser of any real

property or dwelling or part, portion or interest of the real property or dwelling, or against any prospective lessee or purchaser of the property or dwelling because of age, color, creed, disability, gender identity, marital status, familial status, national origin, race, religion, sex, sexual orientation, presence or absence of dependents, or public assistance **source of income** of persons who may from time to time be present in or on the lessee's or owner's premises for lawful purposes at the invitation of the lessee or owner as friends, guests, visitors, relatives or in any similar capacity. (Ord. 15-4650, 12-15-2015; amd. Ord. 16-4678, 10-4-2016)

## Marion

### Marion Code of Ordinances, 31.18 FAIR HOUSING – GENERAL. 2. Prohibitions/Unfair or Discriminatory Practices – Housing.

It is an unfair or discriminatory practice for any person, owner of rights to housing or real property, or a person acting for an owner of rights to housing or real property, with or without compensation, including (but not limited to) persons licensed as real estate brokers or salespersons, attorneys, auctioneers, architects, builders, developers, agents, or representatives by power of attorney or appointment, or any person acting under court order, deed of trust, or will – collectively referred to in this chapter as a “housing provider”:

A. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of age, color, creed, disability, familial status, gender identity, **lawful source of income**, marital status, national origin, race, religion, sex, or sexual orientation.

B. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provisions of services or CHAPTER 31 CIVIL RIGHTS COMMISSION facilities in connection therewith, because of age, color, creed, disability, familial status, gender identity, **lawful source of income**, marital status, national origin, race, religion, sex, or sexual orientation.

“**Lawful source of income**” means any lawful, verifiable source of money paid directly or indirectly to or on behalf of a renter or buyer of housing, including income derived from: A. Any lawful profession or occupation. B. Any government or private assistance, subsidy, voucher, grant, or loan program. C. Any gift, inheritance, pension, annuity, alimony, child support, or other consideration or benefit. D. Any sale or pledge of property or interest in property.



## KENTUCKY

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: KENTUCKY

#### Louisville

##### Louisville Metropolitan Code of Ordinances § 92.03 UNLAWFUL PRACTICES IN CONNECTION WITH HOUSING.

(A) Refuse to sell, purchase, exchange, rent or lease, lend or deny brokerage service or otherwise deny to or withhold any housing accommodation from a person because of race, color, religion, national origin, familial status, disability, sex, gender identity, or sexual orientation, **lawful source of income**, conviction history or arrest history, prior military service, or homeless status; or

(B) Discriminate against a person because of race, color, religion, national origin, familial status, disability, sex, gender identity, or sexual orientation, **lawful source of income**, conviction history or arrest history, prior military service, or homeless status in terms, conditions, or privileges of the appraisal, purchasing of loans, financial assistance, sale, purchase, exchange, rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith;

**Lawful Source of Income:** Shall include, but not be limited to, child support, alimony, foster care subsidies, income derived from social security, grants, pension, or any form of federal, state, or local public assistance or housing assistance including, but not limited to, section 8 vouchers, or any other form of housing assistance payment or credit whether or not such income or credit is paid or attributed directly to a landlord, and any other forms of lawful income.

## MICHIGAN

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: MICHIGAN

#### Ann Arbor

##### Ann Arbor Code of Ordinances, 9:152 Discriminatory housing practices.

No person shall discriminate in leasing, selling or otherwise making available any housing facilities. No person shall discriminate in the terms, conditions, maintenance or repair in providing any housing facility. No person shall refuse to lend money for the purchase or repair of any real property or insure any real property solely because of the location in the city of such real property. No person shall promote real estate transactions by representing that changes are occurring or will occur in an area with respect to race, religion or national origin. No person shall place a sign or other display on

any real property which indicates that the property is for sale or has been sold when it is not for sale or has not recently been sold.

Discriminate: To make a decision, offer to make a decision or refrain from making a decision based in whole or in part on the actual or perceived race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, **source of income**, family responsibilities, educational association, sexual orientation, gender identity or HIV status of another person or that person's relatives or associates.

**Source of income:** Any legal source from which a person obtains money.

## East Lansing

### East Lansing Code of Ordinances, Sec. 22-34 Housing.

(b) The opportunity to purchase, lease, sell, hold, use, and convey dwelling houses or dwelling units or engage in any other type of real estate transaction as protected in this section or under state and federal law is hereby recognized and declared to be a civil right. This includes, but is not limited to seeking, inspecting, advertising, offering, or listing of real property without discrimination because of religion, race, color, national origin, age, height, weight, disability, sex, marital status, sexual orientation, gender identity or expression, student status, use of adaptive devices or aids, or **legal source of income**, except with respect to age or income only, where necessary to meet the requirements of federal, state, or local programs.

## Grand Rapids

### Grand Rapids Code of Ordinances, Sec. 9.362 Policy.

It is hereby declared to be the policy of the City of Grand Rapids, in the exercise of its police power for the protection of the public health, safety and general welfare, for the maintenance of business and good government, and for the promotion of the City's trade, commerce and manufacture, to assure equal opportunity to all persons to live in adequate housing facilities regardless of race, color, religion, ancestry or national origin, age, sex, marital status, familial status, handicapped status, **source of lawful income**, or public assistance recipient status, and to that end, prohibit discrimination in housing.

## Holland

### Holland Code of Ordinances Ch. 14 Art. III Sec. 14-7

It shall be an unfair housing practice and unlawful for an owner, real estate broker or real estate salesman, or any other person as defined in this article:

(a) To refuse to negotiate for a real estate transaction with a person because of religion, race, color, national origin, age, sex, marital status or source of income.

(b) To refuse to engage in a real estate transaction with a person because of religion, race, color, national origin, age, sex, marital status or source of income.

(c) To discriminate against a person in the terms, conditions, or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith because of religion, race, color, national origin, age, sex, marital status or source of income.

## Jackson

### Jackson Code of Ordinances, §14-131. Definitions.

(b) The term "**source of income**" means only lawful sources from which income is derived. When used in this article this term shall not be deemed to preclude a good faith business decision by an owner, lessee or sublessee of real property that an individual be denied access to housing due to his inability to meet the financial burdens attendant to the purchase, lease or sublease of such housing accommodation. It shall be unlawful for any owner, lessee or sublessee of real property, or any agent or representative thereof, to refuse to sell, exchange, rent or lease any housing accommodation of any sort within the city because of an individual's religion, race, color, national origin, age, sex, familial status, handicap (disability) or source of income.

## Kalamazoo

### Kalamazoo, Mich. Code Ch. 18, § 18A-3 Discriminatory housing practices.

Except as otherwise provided in this Chapter:

1. No person shall discriminate in leasing, selling or otherwise making available any housing facilities.
2. No person shall discriminate in the terms, conditions, maintenance or repair in providing any housing facility.

**Discriminate:** To make a decision, offer to make a decision, or refrain from making a decision based in whole or in part on an individual's actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation or gender identity, educational affiliation, **source of income**, status as a victim of domestic violence, governmental identification method, arrest record and conviction record (collectively "protected classes")

**Source of Income:** Lawful verifiable income derived from wages, salaries or other compensation for employment, money derived from a gift or bequest, contract (including insurance proceeds), loan, or the settlement or award for a claim for personal injury. It also includes but is not limited to social security benefits, supplemental security income, unemployment benefits, retirement income, alimony, child support, Federal Housing Choice Voucher, Local Housing Assistant Fund Millage, or any other housing subsidy.

## Kentwood

### Kentwood Code of Ordinances, §6.74-202. Designation of Policy.

It is hereby designated to be the continuing policy of the city to do those things necessary and proper to secure for all its citizens their right to equal housing opportunities regardless of their race, creed, color, sex, marital status, religious belief, age, height, weight, national origin, disability or source of income.

*Discrimination, discriminating and discriminate* mean to render any difference in treatment to any person in the sale, lease, rental or financing of a dwelling or housing unit because of a person's race, creed, color, sex, marital status, religious belief, age, height, weight, national origin, disability or **source of income**. *Housing* includes any building, facility or structure, or portion thereof, which is used or occupied, or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping place of one or more persons, groups or families and any vacant land offered for sale or lease for the construction or location thereon of such building, facility or structure. It is hereby designated to be the continuing policy of the city to do those things necessary and proper to secure for all its citizens their right to equal housing opportunities regardless of their race, creed, color, sex, marital status, religious belief, age, height, weight, national origin, disability or **source of income**.

## Lansing

### Lansing Code of Ordinances, CHAPTER 297, HUMAN RIGHTS 297.01 Intent.

It is the intent of the city that no person be denied the equal protection of the laws; nor shall any person be denied the enjoyment of their civil rights or be discriminated against because of their actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation, gender identity or expression, veteran status or HIV status, **source of income**, ancestry, student status, housing status, political affiliation or belief, or service in armed forces in sovereign nations as all forms of discrimination adversely affect Lansing citizens and the quality of life and opportunities available to all people. Nothing herein contained shall be construed to prohibit any cause of action based on any other Lansing, federal or state law.

**Source of income:** Any legal source from which a person obtains money.

## Wyoming

### Wyoming Code of Ordinances, §42-53. Unfair housing practices.

It is an unfair housing practice for an owner, a real estate broker or real estate salesman, or any other person to perform any of the following:

- (1) Refuse to negotiate for a real estate transaction with a person because of race, color, religion, national origin, age, sex, height, weight, handicap, **source of income**, familial status or marital status.

- (2) Refuse to engage in a real estate transaction with a person because of race, color, religion, national origin, age, sex, height, weight, handicap, source of income, familial status or marital status.
- (3) Discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith because of race, color, religion, national origin, age, sex, height, weight, handicap, source of income, familial status or marital status.
- (4) Refuse to receive from, or to fail to transmit to, a person, a bona fide offer to engage in a real estate transaction because of race, color, religion, national origin, age, sex, height, weight, handicap, source of income, familial status or marital status.
- (5) Represent to a person that real property is not available for inspection, sale, rental or lease when in fact it is so available or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property, under reasonable conditions, because of race, color, religion, national origin, age, sex, height, weight, handicap, source of income, familial status or marital status.
- (6) Publish or advertise, directly or indirectly, an intent to make a limitation, specification or discrimination based on race, color, religion, national origin, age, sex, height, weight, handicap, source of income, familial status or marital status.

## MISSOURI

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: MISSOURI

#### Clayton

##### City of Clayton, Missouri Ordinance Article I Ch. 225 Sec. 225.030

It shall be an unlawful housing practice:

To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, national origin, ancestry, sex, gender identity, sexual orientation, disability, **lawful source of income** or familial status.” Sec. 225.030(A)(2).

**Source of income:** the point or form of the origination of legal gains of income accruing to a person in a stated period of time; from any occupation, profession or activity, from any contract, agreement or settlement, from federal, state or local payments, including Section 8 or any other rent subsidy or rent assistance program, from court ordered payments or from payments received as gifts, bequests, annuities or life insurance policies.

## St. Louis

### St. Louis Code of Ordinances, 3.44.080 – C. Discrimination in Provision of Housing or Realty.

1. Prohibited discriminatory practices. It shall be a prohibited housing or realty practice and shall constitute a discriminatory housing practice:

a. For any person, including, without limitation any real estate broker, salesman or agent, or any employee thereof, to discriminate against any individual because of race, color, religion, sex, sexual orientation, gender identity or expression, familial status, **legal source of income**, disability, national origin or ancestry, with respect to the use, enjoyment or transfer, or prospective use, enjoyment or transfer, of any interest whatsoever in realty, or with respect to the terms, conditions, privileges or services granted or rendered in connection therewith, or with respect to the making or purchasing of loans for the purchase or maintenance of residential real estate or loans in the secondary market, or the provision of other financial assistance, or with respect to the terms, conditions, privileges or services granted or rendered in connection with any interest whatsoever in realty, or with respect to the making of loans secured by residential real estate.

"Source of income" means the point or form of the origination of legal gains of income accruing to a person in a stated period of time; from any occupation, profession or activity, from any contract, agreement or settlement, from federal, state or local payments, including Section 8 or any other rent subsidy or rent assistance program, from court ordered payments or from payments received as gifts, bequests, annuities or life insurance policies.

## Webster Groves

### Webster Groves, Missouri Ch. 30, Article 3, Sec. 30.520 - Discrimination in the Sale or Rental of Housing

It shall be unlawful for any person:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, national origin, ancestry, sex, disability, **source of income**, familial status, sexual orientation or gender identity;

(b) To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provisions of service or facilities in connection therewith, because of race, color, religion, national origin, ancestry, sex, disability, **source of income**, familial status, sexual orientation or gender identity or an intention to make any such preference, limitation or discrimination;

(c) To make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling, that indicates any preference, limitation or discrimination based on race, color, religion, national origin, ancestry, sex, disability, **source of income**, sexual orientation or gender identity;

(d) To represent to any person, because of race, color, religion, national origin, ancestry, sex, disability, **source of income**, familial status, sexual orientation or gender identity that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available;

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, national origin, ancestry, sex, disability, **source of income**, familial status, sexual orientation or gender identity.

"**Source of income**" means "lawful, regular, verifiable income, including but not limited to housing vouchers and other subsidies provided by government or non- governmental entities, child support, or spousal maintenance, but does not include future gifts.

## OHIO

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: OHIO

#### Bexley

##### BEXLEY, OHIO, ORDINANCE 28-20 (2020). 637.02 – Fair Housing

Amends Ch. 637.02(a)(1) and (a)(3) to include "source of income" among the list of unlawful forms of discrimination.

(a) It shall be an unlawful discriminatory practice for any person to:

- (1) Refuse to sell, transfer, assign, rent, lease, sublease, finance or otherwise deny or withhold housing accommodations from any person because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, **source of income**, familial status or military status of any prospective owner, occupant, or user of such housing accommodations.
- (2) Represent to any person that housing accommodations are not available for inspection when in fact they are so available;
- (3) Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations or otherwise withhold financing of housing accommodations from any person because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, military status, or **source of income** of any present or prospective owner, occupant, or user of such housing accommodations, provided such person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects of their business or incidental to their principal business **and** not only as a part of the purchase price of an owner occupied residence they are selling nor merely casually or occasionally to a relative or friend;
- (4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing or, subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection with the ownership, occupancy or use of any housing accommodations because of the race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, **source of income**,

familial status or military status of any present or prospective owner, occupant, or user of such housing accommodations;

**Source of Income:** lawful income derived from wages, social security, supplemental security income, all forms of federal, state or local assistance payments or subsidies, including rent vouchers, child support, spousal support, and public assistance which can be verified and substantiated.

## Cincinnati

### Sec. 740-11: Discrimination Against Government Housing Allowance Recipients Forbidden.

It is unlawful for owners of residential rental units or their agents to refuse to rent a vacant dwelling unit, to evict any person or otherwise discriminate in the terms of tenancy solely because a tenant or prospective tenant is a holder of a **Certificate of Family Participation under the Section 8 Existing Housing Program** of the Housing and Community for Development Act of 1974, as amended, or is a recipient of any other **government housing allowance program**.

## Linndale

### Linndale Code of Ordinances, 515.03 UNLAWFUL HOUSING PRACTICES.

It shall be an unlawful housing practice and a violation of this chapter:

(a) For any person or real estate agent:

(1) To discriminate against any person in the selling, leasing, subleasing, renting, assigning or otherwise transferring of any interest in a housing unit.

(2) To discriminate against any person by refusing to negotiate, making false representations on the availability of the housing unit, or withdrawing from the market a housing unit which is for sale, lease, sublease, or rental.

(3) To include in the terms, conditions, or privileges of any sale, lease, sublease, rental, assignment or other transfer of any housing, any clause, condition or restriction discriminating against any person in the use or occupancy of such housing.

(4) To discriminate in the furnishing of any facilities, repairs, improvements or services or in the terms, conditions, privileges or tenure of occupancy of any person.

(b) For any lending institution to discriminate in lending money, guaranteeing loans, accepting a deed of trust or mortgage or otherwise making available funds for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of any housing or discriminate in the fixing of the rates, terms, conditions or provisions of any such financial assistance.

(c) For any person or real estate agent, with respect to any prohibited act not specified in this chapter, to publish or circulate or cause to be published or circulated, any notice, statement, listing or advertisement, or to announce a policy or to make any record in connection with the prospective sale, lease, sublease, rental or financing of any housing which indicates reliance, determination or decision based on race, color, religion, sex, familial status as defined in Section 4112.01 of the Ohio Revised Code, national origin, disability as defined in that section, ancestry, military status, sexual orientation, gender identity and **source of income**.



## South Euclid

### South Euclid Code of Ordinances, 1408.04 PROHIBITED ACTS.

It is hereby declared to be a discriminatory housing practice and unlawful for any person to:

- (a) Refuse to sell, transfer, assign, rent, lease, sublease, finance, negotiate or otherwise deny or make unavailable a dwelling to any person because of the race, color, religion, sex, sexual orientation, gender identity, age, ancestry, disability, including people associated with or residing with a person meeting the definition of a disability, ethnic group, marital status, familial status, national origin, military status, association with someone of a protected class, **sources of income , or receipt of public assistance of any present or prospective owner, occupant, or user of such dwelling**, or an associate thereof;
- (b) Represent to any person, because of race, color, religion, sex, sexual orientation, gender identity, age, ancestry, disability, including people associated with or residing with a person meeting the definition of a disability, ethnic group, marital status, familial status, national origin, military status, association with someone of a protected class, **sources of income , or receipt of public assistance**, that a dwelling is not available for sale, rental, or inspection when in fact it is available.

## University Heights

### University Heights Code of Ordinances, 820.04 PROHIBITED ACTS.

It is hereby declared to be a discriminatory housing practice and unlawful for any person to:

- (a) Refuse to sell, transfer, assign, rent, lease, sublease, finance, negotiate or otherwise deny or make unavailable a dwelling to any person because of race, color, religion, sex, sexual orientation, gender identity, age, ancestry, disability, familial status, national origin, military status, association with a protected class or **source of income** of any present or prospective owner, occupant, or user of such dwelling;
- (b) Represent to any person, because of race, color, religion, sex, sexual orientation, gender identity, age, ancestry, disability, familial status, national origin, military status, association with a protected class or **source of income** , that a dwelling is not available for sale, rental, or inspection when in fact it is available.

## Warrensville Heights

### Warrensville Heights Code of Ordinances, 113.04 DISCRIMINATION IN SALE OR RENTAL OF HOUSING.

It shall be unlawful to:

- (a) Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, creed, sex, religion, family status, disability or national origin, ancestry, military status, sexual orientation, gender identity **or source of income**.
- (b) Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race,

color, creed, sex, religion, family status, disability or national origin, ancestry, military status, sexual orientation, gender identity or **source of income**.

(c) Make, print, publish or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, creed, sex, religion, family status, disability or national origin, ancestry, military status, sexual orientation, gender identity or source of income , or an intention to make any such preference, limitation or discrimination.

(d) Represent to any person because of race, color, creed, sex, religion, family status, disability or national origin, ancestry, military status, sexual orientation, gender identity or **source of income** that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

## Wickliffe

### Wickliffe Code of Ordinances, §1103.01 - INTENT.

It is the intent of Chapter 1103 to assure full and equal opportunity to all residents of the City of Wickliffe to obtain fair and adequate housing for themselves and their families in the City of Wickliffe without discrimination against them because of their race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status, or **source of income**. It shall be an unfair housing practice and unlawful for any owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease or sublease any housing accommodation, within the City of Wickliffe, 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 Wickliffe or in the furnishing of any facilities or services in connection therewith, predicated upon the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or **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 Wickliffe which will indicate or express any limitation or discrimination in the sale, rental or leasing of such residential real estate, predicated upon the race, color, sex, sexual orientation, gender identity, age, religion, disability, national origin, ancestry, marital status, parental status, military discharge status or **source of income** of any prospective buyer, lessee or renter of such property.

CITY ORDINANCES:  
PENNSYLVANIA**Philadelphia****Philadelphia Code of Ordinances, § 9-1108 Unlawful Housing and Real Property Practices.**

(1) It shall be an unlawful housing and real property practice to deny or interfere with the housing accommodation, commercial property or other real property opportunities of an individual or otherwise discriminate based on his or her race, ethnicity, color, sex, sexual orientation, gender identity, religion, national origin, ancestry, disability, marital status, age, **source of income**, familial status, or domestic or sexual violence victim status, including, but not limited to, the following:

- (a) For the owner or any other person having the right to sell, rent, lease, or approve the sale, rental or lease of any housing accommodation, commercial property or other real property to refuse to sell, rent, or lease or otherwise discriminate in the terms, conditions, or privileges of the sale, rental, or lease of any housing accommodation, commercial property or other real property or in the furnishing of facilities or services in connection therewith.

**Pittsburgh****Pittsburgh Code of Ordinances, § 659.03 UNLAWFUL HOUSING PRACTICES.**

(f) For any real estate broker or real estate salesperson or agent, or any other person for business or economic purposes, to induce, directly or indirectly, or to attempt to induce directly or indirectly, the sale or rental or the listing for sale or rental, of any dwelling by representing that a change has occurred or will or may occur regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, ancestry, national origin, sex, sexual orientation, familial status, **source of income** or handicap status of the street, block, neighborhood or area in which such dwelling is located.

**Borough of State College****Borough Code of Ordinances, §5-506 Unlawful Residential Real-Estate Related Transactions.**

a. It shall be unlawful for any person or entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available loans or other financial assistance for a dwelling, or which is or is to be secured by a dwelling, because of race, color, religion, ancestry, age, national origin, place of birth, sex, sexual orientation, gender identity or expression, **source of income**, disability or handicap, presence of a support animal, pregnancy, birth of a child or marital or familial status.

b. It shall be unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance because of race, color, religion, ancestry, age, national origin, place of birth, sex, sexual orientation, gender identity or expression, **source of income**, disability or handicap, presence of a support animal, pregnancy, birth of a child or marital or familial status.

## TENNESSEE

NO STATEWIDE SOI LAW,  
LOCAL SOI ORDINANCES IN EFFECT

### CITY ORDINANCES: TENNESSEE

#### Memphis

##### Memphis Code of Ordinances, Sec. 10-36-5 Unlawful housing practices

A. It is unlawful for an owner or other person engaging in a real estate transaction, or for a real estate broker or salesperson, real estate operator, or person acting by or on behalf of any of these to discriminate against any person in the sale or rental of real property or any housing accommodation because of race, color, religion, national origin, sex, age, familial status, **source of income** or handicap/disability.

B. It shall be a discriminatory practice for any person because of race, color, religion, national origin, sex, age, familial status, **source of income** or handicap/disability to:

1. Refuse to sell or rent after the making of a bona fide offer or to negotiate for the sale or rental of, or otherwise to make unavailable or deny, real property or a housing accommodation to a person;
2. Discriminate against any person in the terms, conditions, or privileges of sale or rental of real property or a housing accommodation, or in the provision of services or facilities in connection therewith; and it shall specifically be a violation of this section for an owner or manager of rental property to fail to maintain rental property in compliance with applicable housing code provisions because some or all of the tenants are members of classes protected by this chapter or the Tennessee Human Rights Act.

## OKLAHOMA

## STATEWIDE SOI LAW EXCLUDES SECTION 8 HOUSING VOUCHER

### 25 OK Stat § 25-1452 (2019) – Discriminatory Housing Practices

A. It shall be an unlawful discriminatory housing practice for any person, or any agent or employee of such person:

8. To refuse to consider as a valid source of income **any public assistance**, alimony, or child support, awarded by a court, when that source can be verified as to its amount, length of time received, regularity, or receipt because of race, color, religion, gender, national origin, age, familial status, or disability;

Note: It is unclear if Section 8 Housing Vouchers are considered as a valid source of income through the phrase “any public assistance.”

## MINNESOTA

## STATEWIDE SOI LAW EXCLUDES SECTION 8, BUT LOCAL ORDINANCES MAY DIFFER

### Minnesota Code, 363A.09 UNFAIR DISCRIMINATORY PRACTICES RELATING TO REAL PROPERTY.

Subdivision 1. Real property interest; action by owner, lessee, and others.

It is an **unfair discriminatory** practice for an owner, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease any real property, or any agent of any of these:

(1) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or group of persons any real property because of race, color, creed, religion, national origin, sex, marital status, status with regard to **public assistance**, disability, sexual orientation, or familial status; or

(2) to discriminate against any person or group of persons because of race, color, creed, religion, national origin, sex, marital status, status with regard to **public assistance**, disability, sexual orientation, or familial status in the terms, conditions or privileges of the sale, rental or lease of any real property or in the furnishing of facilities or services in connection therewith, except that nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended to protect the safety of minors in their use of the real property or any facilities or services furnished in connection therewith;

Relevant court cases: [Edwards v. Hopkins Plaza Ltd. Partnership](#), 783 N.W.2d 171 (Minn. App., 2010). This case found that participation in Section 8 programs was voluntary and thus it is not “unlawful for property owners to either refuse to rent, or refuse to continue renting, to tenant-based Section 8 recipients based on a legitimate business decision not to participate in Section 8 programs.

## Minneapolis

### Minneapolis Code of Ordinances, 139.40 Acts of discrimination specified.

#### (e) Discrimination in property rights.

It is an unlawful discriminatory practice for an owner, lessee, sublessee, managing agent, real estate broker, real estate salesperson or other person having the right to sell, rent or lease any property, or any agent or employee of any of these, when race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, marital status, familial status, emancipated minor status, **status with regard to a public assistance program, or any requirement of a public assistance program is a motivating factor:**

(1) To refuse to sell, rent or lease, or to refuse to offer for sale, rental or lease; or to refuse to negotiate for the sale, rental, or lease of any real property; or to represent that real property is not available for inspection, sale, rental, or lease when in fact it is so available; or to otherwise make unavailable any property or any facilities of real property. It is an affirmative defense if the refusal, denial, or withholding is due to a requirement of a public assistance program and that requirement would impose an undue hardship. The department may promulgate rules or regulations establishing standards for undue hardship determinations.

(2) To discriminate against any person in the terms, conditions, or privileges of the sale, rental or lease of any real property or in the full and equal enjoyment of services, facilities, privileges and accommodations, or in the furnishing of facilities or services associated with the real property; except that nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended to protect the safety of minors in their use of the real property or any facilities or services furnished or associated with the real property.

## WISCONSIN

STATEWIDE SOI LAW EXCLUDES SECTION 8,  
BUT LOCAL ORDINANCES MAY DIFFER

### Wisconsin Code of Ordinances, 106.50 Open housing.

(1) Intent. It is the intent of this section to render unlawful discrimination in housing. It is the declared policy of this state that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, **lawful source of income**, age, or ancestry and it is the duty of the political subdivisions to assist in the orderly prevention or removal of all discrimination in housing through the powers granted under ss. 66.0125 and 66.1011. The legislature hereby extends the state law governing equal housing opportunities to cover single-family residences that are owner-occupied. The legislature finds that the sale and rental of single-family residences constitute a significant portion of the housing business in this state and should be regulated. This section shall be considered an exercise of the police powers of the state for the protection of the welfare, health, peace, dignity, and human rights of the people of this state.

Definitions. In this section:

“Discriminate” means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r) because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, **lawful source of income**, age, or ancestry.

“Member of a protected class” means a group of natural persons, or a natural person, who may be categorized because of sex, race, color, disability, sexual orientation, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual abuse, or stalking, **lawful source of income**, age, or ancestry.

Relevant case law: [Knapp v. Eagle Property Management Corp., 54 F.3d 1272 \(Wis. 1995\)](#) This case found that Section 8 federal rent assistance vouchers were not “lawful source of income” within meaning of 25 Wisconsin Open Housing Act provision prohibiting landlords from discriminating in housing on basis of lawful source of income.

## COUNTY ORDINANCES: WISCONSIN

### Dane County

#### [Dane County Code of Ordinances, Chapter 31 – Fair Housing](#)

31.02. It is the intent of this chapter to render discrimination in housing unlawful. It is the declared policy of the County of Dane that all persons shall have an equal opportunity for housing regardless of race, gender, age, religion, color, national origin, ancestry, marital status, domestic partnership status, family status, mental illness, disability, physical appearance, lawful source of income, receipt of housing or rental assistance, student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs, status as a victim of domestic abuse as defined in sec. 813.12(1)(am), Wis. Stats., or the person is associated with a tenant union. This chapter shall be deemed an exercise of the police powers of the County of Dane for the protection of the welfare, health, peace, dignity and human rights of the people of this county, and as a fulfillment of the legislative directive of sec. 66.1011, Wis. Stats.

31.03. Definitions. (4)Discriminate and discrimination mean to segregate, separate, exclude or treat any persons unequally because of race, gender, age, religion, color, national origin, ancestry, marital status, domestic partnership status, family status, mental illness, physical condition, appearance, **lawful source of income, receipt of housing or rental assistance**, student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs, status as a victim of domestic abuse as defined in sec. 813.12(1)(am), Wis. Stats., and association with or formation of a tenant union in apartments or mobile home parks or communities.

### Milwaukee County

#### [Milwaukee County Code of General Ordinances Volume II Chapter 107 – Fair Housing](#)

It is the intent of this chapter to render unlawful discrimination in housing and to enact this chapter pursuant to the authority granted to counties by s. 66.1011, Wis. Stats. It is the declared

policy of the county that all persons shall have an equal opportunity for housing regardless of sex, race, color, disability, religion, creed, national origin or ancestry, marital status of a person maintaining a household, **lawful source of income, receipt of rental or housing assistance**, age, sexual orientation, as defined in s. 111.32(13m), Wis. Stats., status as a victim of domestic abuse, sexual assault, or stalking, gender identity and gender expression, or status in a domestic partnership.

107-03: It is unlawful for any person to discriminate:

- (1) By refusing to sell, lease, finance or contract to construct housing or by refusing to discuss the terms thereof.
- (2) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (3) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
- (4) By publishing, circulating, issuing or displaying, or causing to be published, circulated, issued or displayed, any communication, notice, advertisement or sign in connection with the sale, financing, lease or rental of housing, which states or indicates any discrimination in connection with housing.
- (5) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
- (6) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.

## CITY ORDINANCES: WISCONSIN

### Cambridge – DOES NOT INCLUDE SECTION 8 HOUSING VOUCHERS

#### Cambridge Code of Ordinances, 9.36.010 Statement on fair housing.

It is declared to be the policy of the village to assure equal opportunity to all persons to live in adequate housing facilities regardless of race, color, religion, ancestry, national origin, sex, handicap, sexual preference, marital status of persons maintaining a household, **lawful source of income**, place of birth, or age, and, to that end, to prohibit discrimination in housing by any persons.

Cambridge follows WIS. STAT. § 106.50 and does not include Section 8 vouchers in “lawful source of income.”

### Madison

#### Madison Code of Ordinances, 39.03 EQUAL OPPORTUNITIES ORDINANCE.

The practice of providing equal opportunities in employment to persons without regard to sex, race, religion or atheism, color, national origin or ancestry, citizenship status, age, handicap/disability,



marital status, source of income, arrest record, conviction record, credit history, less than honorable discharge, physical appearance, sexual orientation, gender identity, genetic identity, political beliefs, familial status, student status, domestic partner status, **receipt of rental assistance**, the fact that the person declines to disclose their social security number, homelessness or unemployment status is a desirable goal of the City of Madison and a matter of legitimate concern to its government. As a proper function of City government, the City of Madison has provided in Sec. 39.02 for affirmative action in City employment to safeguard against discrimination.

## **Milwaukee (City)**

### **Milwaukee Code of Ordinances, 109-5. Definitions.**

Protected person means any individual intended to be protected from violations of prohibited discrimination under this chapter. This includes an individual's sex, race, religion, color, national origin or ancestry, age, disability, **lawful source of income**, marital status, sexual orientation, gender identity or expression, victimhood of domestic abuse or sexual assault, past or present membership in the military service, HIV status, domestic partnership, genetic identity, homelessness, familial status, or an individual's affiliation or perceived affiliation with any of these categories.

## **Ripon – DOES NOT INCLUDE SECTION 8 HOUSING VOUCHERS**

### **Ripon Code of Ordinances, 12.48-Fair and Open Housing**

Ord. No. 1487, § 1, adopted April 27, 2020, repealed Ch. 12.48, §§ 12.48.010—12.48.060, and enacted a new Ch. 12.48 as set out herein. The former Ch. 12.48 pertained to similar subject matter and derived from Ord. 1318, (part), adopted 2007.

#### **12.48.010 - Adoption of policy.**

The City of Ripon hereby adopts Wis. Stat. § 106.50, as amended, and all subsequent amendments thereto.

#### **12.48.020 - Implementation.**

The officials and employees of the City of Ripon shall assist in the orderly prevention and removal of all discrimination in housing within the City of Ripon municipal jurisdiction by implementing the authority and enforcement procedures set forth in Wis. Stat. § 106.50, as amended.

#### **12.48.030 - Enforcement.**

The municipal clerk shall maintain forms for complaints to be filed under Wis. Stat. § 106.50, as amended, and shall assist any person alleging a violation thereof in the City of Ripon to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Wis. Stat. § 106.50, as amended.

Ripon follows WIS. STAT. § 106.50 and does not include Section 8 vouchers in “lawful source of income.”

## Sun Prairie – DOES NOT INCLUDE SECTION 8 HOUSING VOUCHERS

### Sun Prairie Code of Ordinances, 9.20.050 Tenant selection and screening allowed.

A. No provision in this chapter shall require owners or landlords to accept **Section 8** housing vouchers except where required by state or federal law. For purposes of this chapter the refusal of a landlord to accept Section 8 as a legal source of income and the denial of an application shall not be considered discriminatory. If other Section 8 tenants are allowed, published capacity limits shall be readily available.

B. No provision in this chapter shall prohibit standard tenant screening including:

1. Checking criminal conviction and arrest records of all occupants and all named lessees of the dwelling for offenses related to a lease transaction, the safety of other residents within the apartment complex, or a history of property damage;
2. Refusal to provide Social Security number or ITIN for purposes of screening the applicant's credit or criminal background;
3. Refusal to provide or the absence of valid state or federal government issued identification;
4. Checking chronic nuisances violations of all occupants with local municipalities relating to violations of chronic nuisance ordinances.

## Wauwatosa – DOES NOT INCLUDE SECTION 8 HOUSING VOUCHERS

### Wauwatosa Code of Ordinances, 15.22.010 Declaration of intent.

A. It is the intent of this law to render unlawful discrimination in housing where the sale, rental or lease of the housing constitutes a business. It is the declared policy of this city that all persons shall have an equal opportunity for housing regardless of sex, race, color, sexual orientation as defined in Section 111.32(13M) of the Wisconsin Statutes, handicap, religion, national origin, familial status, sex or marital status of the person maintaining a household, **lawful source of income**, age or ancestry, and it is the duty of this city to assist in the orderly prevention or removal of all discrimination in housing through the powers granted under the Wisconsin Statutes. This chapter shall be deemed an exercise of the police powers of the city for the protection of the welfare, health, peace, dignity and human rights of the people of this city.

B. Nothing in this chapter shall be deemed to prohibit an owner, or his agent, from requiring that any person who seeks to buy, rent or lease housing supply information concerning his family, marital, financial and business status.

Wauwatosa follows WIS. STAT. § 106.50 and does not include Section 8 vouchers in “lawful source of income.”

## INDIANA

STATE PREEMPTS SOI LAWS, BUT LOCAL ORDINANCES MAY DIFFER

### Indiana preemption law - Ind. Code Ann. § 36-1-3-8.5

Sec 8.5. A unit may not adopt or enforce an ordinance that requires or would have the effect of requiring a landlord to participate in (1) a Section 8 program of the federal Housing Act of 1937 (42 U.S.C. 1437f); or (2) a similar program concerning housing.

## TEXAS

STATE PREEMPTS SOI LAWS, BUT LOCAL ORDINANCES MAY DIFFER

### Texas preemption law - Tex. Local Gov't Code § 250.007

Sec. 250.007. REGULATION OF RENTAL OR LEASING OF HOUSING ACCOMMODATIONS.

(a) Except as provided by this section, a municipality or county may not adopt or enforce an ordinance or regulation that prohibits an owner, lessee, sublessee, assignee, managing agent, or other person having the right to lease, sublease, or rent a housing accommodation from refusing to lease or rent the housing accommodation to a person because the person's lawful **source of income** to pay rent includes funding from a federal housing assistance program.

(b) This section does not affect an ordinance or regulation that prohibits the refusal to lease or rent a housing accommodation to a military veteran because of the veteran's lawful source of income to pay rent.

(c) This section does not affect any authority of a municipality or county or decree to create or implement an incentive, contract commitment, density bonus, or other voluntary program designed to encourage the acceptance of a housing voucher directly or indirectly funded by the federal government, including a federal housing choice voucher.

Senate Bill 267 amends the Local Government Code to prohibit a municipality or county from adopting or enforcing an ordinance or regulation that prohibits an owner, lessee, sublessee, assignee, managing agent, or other person having the right to lease, sublease, or rent a housing accommodation from refusing to lease or rent the housing accommodation to a person because the person's lawful source of income to pay rent includes funding from a federal housing assistance program.

This preemption statute was challenged in the case below:

**Relevant Case Law:** *Inclusive Communities Project v. Governor Greg Abbott*, No. 3:17- cv-440 (N.D. Tex. 2017), complaint alleging the Texas statute, “Tex. Local Gov’t Code § 250.007” outlawing local source of income discrimination laws violates the 14th Amendment to the U.S. Constitution and the Fair Housing Act.

Case was dismissed without prejudice for lack of standing on May 28, 2018. The court held that ICP failed to prove a causal link between its injury and the actions of the Governor. Further, the court held that the action was barred by the 11th Amendment. ICP has no plans to appeal this decision.

## Austin

### Austin Code of Ordinances, § 5-1-51 DISCRIMINATION IN SALE OR RENTAL OF HOUSING.

(A) A person may not refuse to sell or rent a dwelling to a person who has made a bona fide offer; refuse to negotiate for the sale or rental of a dwelling; or otherwise make unavailable or deny to a dwelling to any person based on race, color, religion, sex, sexual orientation, gender identity, age, family status, disability, marital status, student status, creed, national origin, or **source of income**.

(B) A person may not discriminate against a person in the terms, conditions, or privileges of sale or rental of a dwelling or in providing services or faculties in connection with the sale or rental, based on race, color, religion, sex, sexual orientation, gender identity, age, familial status, disability, marital status, student status, creed, [ef] national origin, or **source of income**.

(C) This section does not prohibit discrimination against a person because the person has been convicted under federal law or the law of any state of the illegal manufacture or distribution of a controlled substance, but does not permit discrimination based on a disability.

City Code Section 5-1-13 {Definitions} is amended to add a new definition of "Source of Income" to read as follows and to renumber the remaining definitions accordingly. (24) SOURCE OF INCOME means lawful, regular, and verifiable income including, but not limited to housing vouchers and other subsidies provided by government or non-governmental entities, child support, or spousal maintenance, but does not include future gifts.

Relevant Case Law: Austin Apartment Assn. v. City of Austin, 89 F. Supp.3d 886 (W.D. Tex. 2015):

Austin Apartment Association (the Association), a trade association whose members control rental properties serving over 192,000 households, claimed the Ordinance is invalid and sought a preliminary injunction against its enforcement. Specifically, the Association argued that the Ordinance is preempted by Texas and federal law, impairs the obligation of contracts in violation of the Texas Constitution, and constitutes a regulatory taking and due process violation under the Texas and United States Constitutions. The Court denied the motion for preliminary injunction. Case and appeal subsequently mooted by state legislation.

## Dallas

### Dallas Code of Ordinances, SEC. 20A-4 DISCRIMINATORY HOUSING PRACTICES

(a) A person commits an offense if he, because of race, color, sex, religion, handicap, familial status, national origin, or **source of income**:

- (1) refuses to negotiate with a person for the sale or rental of a housing accommodation or otherwise denies or makes unavailable a housing accommodation to a person;
- (2) refuses to sell or rent, or otherwise makes unavailable, a housing accommodation to another person after the other person makes an offer to buy or rent the accommodation; or
- (3) discriminates against a person in the terms, conditions, or privileges of, or in providing a service or facility in connection with, the sale or rental of a housing accommodation.

(b) A person commits an offense if he, because of race, color, sex, religion, handicap, familial status, national origin, or **source of income**:

- (1) represents to a person that a housing accommodation is not available for inspection, sale, or rental if the accommodation is available;
- (2) discriminates against a prospective buyer or renter in connection with the showing of a housing accommodation; or
- (3) with respect to a multiple listing service, real estate brokers' organization, or other business relating to selling or renting housing accommodations.

**SOURCE OF INCOME** means lawful, regular, and verifiable income from whatever source derived (including housing vouchers and other subsidies provided by government or non-governmental entities, child support, or spousal maintenance), except as prohibited by Texas Local Government Code, Section 250.007, as amended. For purposes of housing accommodations that benefit from a subsidy approved by the city council on or after the effective date of this ordinance, source of income includes housing choice vouchers and other federal, state, and local housing subsidies.