An Illusion of Choice:

How Source of Income Discrimination and Voucher Policies Perpetuate Housing Inequality

UNLOCK NYC

Neighbors Together

Anti-Eviction Mapping Project

HOUSING DATA COALITION

About the Authors & Collaborators

This report is the result of a multi-year collaboration between homeless New Yorkers, grassroots organizations, and housing data collectives to document the experiences and impacts of source of income discrimination in New York City.

Founded in 1982, **Neighbors Together** is a community-based organization located in central Brooklyn. Its three-program model addresses the needs of individuals holistically, by providing hot meals in the Community Café, stabilizing services in the Empowerment Program, and engaging members in grassroots community organizing, leadership development, and policy and legislative advocacy. In 2019, after a year and a half of meeting with voucher holders, conducting Know Your Rights trainings, housing search workshops, and data gathering, Neighbors Together members with rental assistance vouchers created the Voucher Advocates Lifting Up Equity in Housing (VALUE in Housing) campaign. VALUE in Housing was designed by and for voucher holders with the explicit goal of making rental assistance vouchers effective tools for securing safe, stable housing.

Unlock NYC is a women-led tech team that builds digital tools for a fair housing search. Unlock NYC works with New Yorkers impacted by housing discrimination to co-design technology that makes it easy to identify, record, and report unfair treatment. Users can choose to send their report to a fair housing agency that can take action on their behalf, and to add their story to a growing body of data on housing discrimination in New York City. Armed with this knowledge, Unlock NYC collaborates with advocates, organizers, and public agencies to hold discriminators accountable and push for stronger fair housing policies.

The **Anti-Eviction Mapping Project** is a data-visualization, critical cartography, and multimedia storytelling collective documenting dispossession and resistance upon gentrifying landscapes. Primarily working in the San Francisco Bay Area, Los Angeles, and New York City, AEMP is an all-volunteer run group producing digital maps, software and tools, narrative multimedia work, murals, reports, and community events. Working with a number of community partners and in solidarity with housing movements globally, AEMP studies and visualizes entanglements of racial capitalism, techno-capitalism, and political economy, while providing tools for resistance.

The **Housing Data Coalition** is a group of individuals and organizations who collaborate on their use of public data to further housing justice in New York City. In the face of the real estate industry's escalating exploitation of housing data to drive speculation and displacement, HDC seeks to make public data more accessible and actionable for housing justice groups.

Executive Summary

Today, thousands of New Yorkers are locked out of the housing market due to "source of income (SOI) discrimination"— one of the most pervasive forms of illegal housing bias in New York City.[1] Targeting prospective tenants with rental assistance vouchers and supplemental incomes, SOI discriminatory practices promote a form of modern-day redlining. In response, Neighbors Together and Unlock NYC partnered to expose the scale of the problem, the nuances of how SOI discrimination is practiced and how it has changed over time, and its devasting impact on New Yorkers fighting to secure stable housing. In addition to analyzing 500 untapped SOI discrimination reports with the help of the Anti-Eviction Mapping Project and the Housing Data Coalition, we have synthesized the history of rental assistance vouchers, examined the current policy and enforcement landscape, and conducted interviews with voucher holders to ground our findings in the emotional and material impacts of SOI discrimination.

Aggregating and analyzing these reports surfaced the following findings:

► **A combination of economic and social barriers prevents voucher holders from moving into "high-opportunity" areas. In particular, prior to Intro-146, a mismatch between voucher ceilings and median rents overwhelmingly locked CityFHEPS voucher holders out of entire neighborhoods.**

► **Brokers employ a multitude of tactics to turn voucher holders down. The most common denial tactic is ghosting, and it has become increasingly prevalent over time.**

► **We found several landlords who routinely deny voucher holders in our dataset. These repeat offenders not only discriminate against prospective tenants with vouchers, but also illegally harass, evict, and endanger the safety of their current tenants.**

► **Faced with a lack of options, New Yorkers with vouchers tend to be limited to apartments in distressed, unsafe conditions — and experience prolonged stays in the shelter system.**

[1] New York City Commission on Human Rights, "CCHR Annual Report FY20. Table: Inquiries by Protected Class and Jurisdiction," 37.

Ultimately, New Yorkers are locked out of housing options through an intricate web of discriminatory practices and poorly designed public policies, compounded by a lack of resources for enforcement. Far from offering renters a "choice," the current voucher system keeps New York City's neighborhoods segregated and its homeless shelters full. Therefore, we propose the following recommendations:

At the City Level

- ► Strengthen anti-discrimination enforcement measures
  - ▹ Increase funding for the CCHR SOI unit by a minimum of $1,000,000 in FY23
  - ▹ Include SOI discrimination as a form of harassment in the "Certificate of No Harassment" (CONH) Program, disqualifying an offending landlord's application
  - ▹ Increase fines on discriminatory landlords
  - ▹ Publicly list SOI discrimination instances on the HPD building info database
- ► Ensure homeless New Yorkers can access housing quickly
  - ▹ Eliminate credit requirement for voucher holders
  - ▹ Build more affordable housing at or below 30% of AMI
  - ▹ Increase funding for and staffing of case managers and housing specialists to ensure meaningful assistance to homeless clients using vouchers
- ► Provide funding to grassroots organizations assisting voucher holders
  - ▹ Sponsor Know Your Rights trainings and housing searches

At the State Level

- ► Strengthen anti-discrimination enforcement measures
  - ▹ Improve coordination between enforcement agencies at the state and city level
  - ▹ Ensure that every voucher holding New Yorker receives adequate information about their rights and pathways to justice
  - ▹ Require enforcement agencies to publicly report how many SOI complaints they receive each year and to track outcomes through clear and transparent metrics
- ► Prevent homelessness
  - ▹ Pass Good Cause Eviction: This bill would provide protections to the 1.6 million households living in unregulated rental units statewide, 600,000 of whom live in New York City
- ► Ensure homeless New Yorkers can access housing quickly
  - ▹ Pass the Housing Access Voucher Program: This bill would create a statewide voucher that pays fair market rent and allows recipients to increase their earnings until their rent is 30% of their income

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Introduction

Problem Statement

Thousands of New Yorkers are locked out of the housing market by rampant discriminatory rental practices. More than fifty years after the passage of the Fair Housing Act, housing discrimination is alive and well - and creates grueling hurdles for low-income New Yorkers in search of a home.

"Source of income (SOI) discrimination" is one of the most common forms of illegal housing bias in New York City.[3] This pervasive type of discrimination specifically targets prospective tenants with rental assistance vouchers and other supplemental incomes sources (e.g., CityFHEPS, FHEPS, Section 8, HASA, Supplemental Security Income, HUD-VASH). Prior to COVID-19, an estimated 200,000[4] New Yorkers relied on rental assistance to pay rent each month.

Laws at both the city[5] and state[6] level protect New Yorkers with vouchers from SOI discrimination. However, landlords and brokers routinely break the law by denying prospective tenants with vouchers outright, using unlawful requirements to deter them, or simply ignoring their texts, emails, and phone calls.[7] Left underenforced, these practices prolong homelessness, exclude families from high-opportunity areas,[8] exacerbate segregation,[9] and negatively impact both physical and mental wellbeing.[10]

Source of income (SOI) discrimination is one of the most common forms of illegal housing bias in New York City.

Purpose of this Report

Neighbors Together has worked with New Yorkers impacted by SOI discrimination for years, organizing to identify roadblocks and strategies to improve the voucher system. In 2019, after launching the Voucher Advocates Lifting Up Equity in Housing (VALUE in Housing) campaign, Neighbors Together partnered with Unlock NYC to develop mobile-based tools to help New Yorkers easily report discrimination, and to analyze the data collected to support policy change. By combining our unique areas of expertise in community organizing, policy advocacy, participatory research and design, software engineering, and data analysis, our two organizations strive to work together to improve voucher holders' ability to find housing.

Over the last three years, we have heard hundreds of stories from Neighbors Together and Unlock NYC members who have been repeatedly and unlawfully denied access to a home. Whether staying in a family shelter, doubled-up with friends or relatives, or trying to leave a precarious living arrangement, voucher holders' attempts to find an apartment result in the same dead ends again and again: "We don't take vouchers," "Professionals only," or "This landlord accepts Section 8, but not CityFHEPS." These stories of pervasive unfair treatment, and our members' resilience in the face of systemic injustice, drove our organizations to design a research study that documents their experiences through quantitative and qualitative data. Through this endeavor, we seek to illustrate the scope of the problem and to identify policy solutions to end SOI discrimination and make vouchers more effective.

This report builds on existing national and local research on SOI discrimination using an untapped source of knowledge: hundreds of crowdsourced discrimination reports from New Yorkers impacted by SOI discrimination. By harnessing the power of grassroots data collection, our research findings are derived from the lived experiences of New Yorkers who had the courage to document discrimination in real time. In total, we cleaned and analyzed 500 discrimination reports submitted by Neighbors Together members between January 2018 and July 2021. We also conducted interviews with members and wove their stories throughout this report to complement our data analysis with qualitative experiences.

Many of our findings validate and confirm what our members already knew: finding a home with a voucher is an upward battle, discrimination is pervasive in the city's rental system, and New York City urgently needs bolder policy and enforcement measures to permanently root SOI out. Through our research, we hope to build off VOCAL-NY and TakeRoot Justice's Vouchers to Nowhere report to offer a more detailed look into the mechanisms of exclusion that lock voucher holders out of safe, stable housing in New York City.

The COVID-19 pandemic highlighted how thousands of Americans are merely a paycheck away from eviction.[11] It also made clear that having a home is critical to the ability to shelter from a deadly virus and adapt to new remote conditions, while painfully reminding us that our homeless neighbors can't "stay home."[12] At its best, the voucher system could help alleviate these deep-seated inequities by housing homeless New Yorkers, preventing evictions,[13] and integrating New York City neighborhoods. With mounting tenant debt[14] and record homelessness,[15] it is ever more pressing to direct political attention and resources to address barriers in the rental assistance system, and make vouchers truly work.

[1] New York City Commission on Human Rights, "CCHR Annual Report FY20. Table: Inquiries by Protected Class and Jurisdiction," 37.
[2] NYC Department of Housing Preservation and Development, "Where We Live NYC," 180.
[3] New York City Commission on Human Rights, "CCHR Annual Report FY20. Table: Inquiries by Protected Class and Jurisdiction"; New York City Commission on Human Rights, "CCHR Annual Report FY21. Table: Inquiries by Protected Class and Jurisdiction."
[4] Total number estimated by Unlock NYC team, based on NYS and NYC sources: NYS-HCR, NYC-Section 8, NYC-CityFHEPS, as well as "The New Yorker's guide to rent assistance vouchers," published in Brick Underground.
[5] NYC Commission on Human Rights, "Source of Income Discrimination."
[6] New York State Attorney General, "Source of Income Discrimination."
[7] TakeRoot Justice, VOCAL-NY, "Vouchers To Nowhere."
[8] Cunningham et al., "A Pilot Study of Landlord Acceptance of Housing Choice Vouchers."
[9] Curley, Graves, and Weismann, "Barriers and Opportunities in the Housing Voucher Program."
[10] Galvez et al., "Protecting Housing Choice Voucher Holders from Discrimination."
[11] Nova, "They Lived Paycheck to Paycheck before the Pandemic. Then Their Worst Nightmare Came True."
[12] "Homeless Can't Stay Home NYC."
[13] New York Advisory Committee to the U.S. Commission on Civil Rights, "Forthcoming Report on Racial Discrimination in Rental Housing Eviction Policies and Enforcement in New York State."
[14] Lucy Block, "220,000 Tenants on the Brink and Counting."
[15] Coalition for the Homeless, "State of the Homeless 2021."

Background On Rental Assistance Vouchers

Historical and National Context

Since the 1970s, policymakers have increasingly turned to the private sector to solve social and economic problems. Rental assistance vouchers were designed to help low-income prospective tenants find housing on the private market by having the government cover all or a portion of the rent. Marking a stark departure from federally-constructed public housing complexes, vouchers ushered in a new approach that relies on private landlords to house poor and working-class Americans.[16]

The Section 8 Housing Choice Voucher (HCV) program, which serves more than five million Americans today,[17] was enacted in 1978.[18] By allowing low-income prospective tenants to shop around on the housing market with the help of a subsidy, the assumption was that housing choice vouchers would grant low-income households access to "higher-opportunity neighborhoods," helping deconcentrate and eventually eliminate pockets of poverty altogether. [19]

In practice, far from giving prospective tenants and voucher holders experiencing homelessness a "choice," vouchers tend to constrict them to a limited set of neighborhoods. Numerous studies conducted in cities across the country have identified SOI discrimination as a key roadblock that diminishes the efficacy of voucher programs, rendering choice an illusion.[20] Moreover, several reports have found that SOI and racial discrimination intersect greatly.[21] Nationwide, 48% of voucher holders are Black, and 18% are Hispanic/Latinx,[22] and in New York, 82% of renters with vouchers are Black or Hispanic/Latinx[23]. Given the demographic composition of voucher-holding families, denying prospective tenants who have vouchers has essentially become "a mask for racial discrimination," as one Democratic senator put it.[24]

	UNITED STATES		NEW YORK CITY	
	Overall Population	**Voucher-holding Population**	**Overall Population**	**Voucher-holding Population**
Black or African-American	**13.4%**	**48%**	**24.3%**	**82%** (includes subgroups)
Hispanic/Latinx	**18.5%**	**18%**	**29.1%**	

Data sources: U.S. Census Bureau, The Urban Institute, Housing Rights Initiative

Vouchers in New York City

Since the creation of Section 8, many new voucher programs have cropped up to address the growing gap[25] between wages and rents. In New York City alone, homeless New Yorkers and tenants may receive rental assistance support from federal, state, or municipal agencies, through a slew of programs including CityFHEPS, FHEPS, Section 8, SOTA, HASA, HUD-VASH, and more. (For an excellent and comprehensive description of the various rental assistance programs in New York City, please refer to Vouchers to Nowhere by TakeRoot Justice and VOCAL-NY).[26]

New Yorkers are often left to navigate the complex voucher system with little guidance, while facing intense pressure to find housing before their voucher expires[27]. As one of our members described, "...when I received the voucher from my case manager, he really didn't tell me any specifics about it. He didn't give me any kind of direction. Then COVID hit, and I had a voucher that had expired, and it took me almost another year just to get a new voucher."[28] Moreover, voucher holders are left in the dark concerning laws protecting them against discrimination, as well as possible routes to enact justice. Elizabeth, another member interviewed for this report has been a voucher holder for over 16 years, though only in her tenth year did she learn that voucher discrimination was illegal– for her and too many it is simply a routine part of life.[29]

Marred by red tape, slow application processes, paperwork delays, payment disruptions, and ongoing discrimination, it can take months, if not years[30], for a homeless family to find a home with a voucher. **As a result, only 20% of New Yorkers who received a CityFHEPS voucher to exit the homeless shelter system in 2019 were able to secure housing, and the average shelter stay was 450 days.**[31] Furthermore, the plethora of voucher programs, each with its own set of requirements and payment standards, weakens voucher holders' ability to understand and enforce their rights. Meanwhile, it increases confusion and fears of administrative headaches amongst landlords and brokers,[32] and ultimately decreases their likelihood of accepting vouchers.[33]

[16] Marcuse and Madden, In Defense of Housing, 72; Tighe, Hatch, and Mead, "Source of Income Discrimination and Fair Housing Policy," 3.
[17] Center on Budget and Policy Priorities, "Federal Rental Assistance Fact Sheets."
[18] Marcuse and Madden, In Defense of Housing, 72.
[19] Tighe, Hatch, and Mead, "Source of Income Discrimination and Fair Housing Policy," 3.
[20] Tighe, Hatch, and Mead, 3; Cunningham et al., "A Pilot Study of Landlord Acceptance of Housing Choice Vouchers," xi; TakeRoot Justice, VOCAL-NY, "Vouchers To Nowhere."
[21] Curley, Graves, and Weismann, "Barriers and Opportunities in the Housing Voucher Program"; Vesoulis, "'A Mask for Racial Discrimination.' How Housing Voucher Programs Can Hurt the Low-Income Families They're Designed to Help."
[22] Galvez et al., "Protecting Housing Choice Voucher Holders from Discrimination," 6.
[23] Sanchez, "Lawsuit Accuses Major Real Estate Firms Of Discriminating Against Low-Income New Yorkers With Housing Vouchers."
[24] Vesoulis, "'A Mask for Racial Discrimination.' How Housing Voucher Programs Can Hurt the Low-Income Families They're Designed to Help."
[25] "Rents Have Risen More Than Incomes in Nearly Every State Since 2001."
[26] TakeRoot Justice, VOCAL-NY, "Vouchers To Nowhere."

Enforcement Landscape

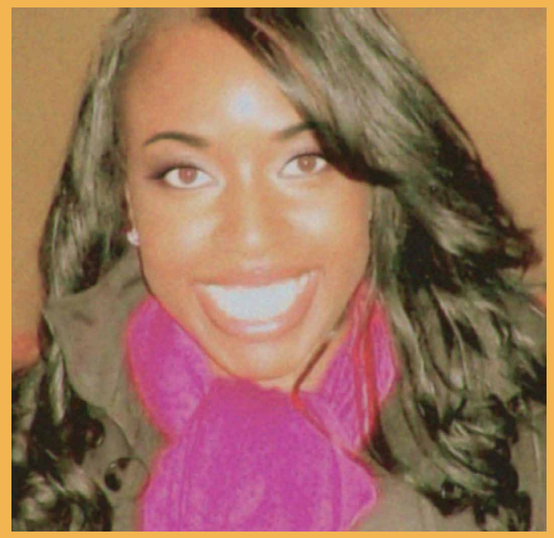
At the city-level, the enforcement of voucher holders' rights remains underfunded and inaccessible.[34] In New York City, SOI discrimination has been illegal since 2008 when Local Law 10 was enacted,[35] and was outlawed at the state-level in 2019.[36] A primary mechanism of enforcement is pre-complaint interventions, where the city contacts discriminatory landlords and brokers to educate and encourage them to act in accordance with city and state human rights laws. Unfortunately, if pre-complaint interventions fail, voucher holders are essentially out of luck; few are keen to enter the often years-long legal battle that a formal complaint entails. Homeless New Yorkers are in immediate need of a home, and a drawn-out lawsuit is often an inadequate solution to housing emergencies.

When successful, interventions and lawsuits can result in settlement units, where a discriminatory landlord is mandated to set aside apartments for voucher holders within their portfolio.[37] Enforcement agencies may also engage in testing, initiate investigations, undergo mediation, file complaints and seek damages where they see fit. Finally, non-profit legal organizations such as the Fair Housing Justice Center and the Housing Rights Initiative have filed various SOI discrimination lawsuits,[38] while advocacy organizations like Neighbors Together, Unlock NYC, and VOCAL-NY provide Know Your Rights trainings to help members learn about and exercise their rights.

[27] TakeRoot Justice, VOCAL-NY, 4.
[28] Fannie Lou Diane, Interview.
[29] Elizabeth Byrd, Interview.
[30] Wykstra, "Vouchers Can Help the Poor Find Homes. But Landlords Often Won't Accept Them."
[31] Kinniburgh, "New York Focus: Will Rental Vouchers to Prevent Homelessness Make the State Budget?"
[32] Stewart, "New York City Sues Landlords Who Refuse Government Vouchers."
[33] Cunningham et al., "A Pilot Study of Landlord Acceptance of Housing Choice Vouchers."
[34] Brand, "NYC's 'Hollowed Out' Enforcement Units Struggle to Keep Pace on Housing Discrimination Cases."
[35] Vann, Barron, Eugene, Addabbo Jr., Fidler, Recchia Jr., Baez, Rivera, Nelson, White Jr., Local Law 10 of 2008: Lawful Source of Income.
[36] New York State Division of Human Rights, New York State Human Rights Law.
[37] Pereira, "NYC Is Requiring Landlords Set Aside Apartments For Voucher Tenants Under New Approach To Enforcing Human Rights Law."
[38] Haag, "'She Wants Well-Qualified People'"; Waletzko, "Opening Acts."

Fannie Lou Diane is a lifelong New Yorker originally from the South Bronx and has been a voucher holder for two years. Despite holding a BA and MA, she still experienced eviction and source of income discrimination. She joined the housing justice movement and has become an active leader with Neighbors Together. Fannie Lou's story showcases how, regardless of education, social background, and health status, anyone might find themselves in need of a voucher and how challenging finding safe housing with a voucher can be.

"I'm not the only college-educated woman with a voucher, I know that there's plenty of them out there. When I went to a homeless shelter and it was my first night, I was like oh my gosh, and a girl came to me and was like, look, there is a woman who's a college professor right here, a Black woman. And there's a young woman who owns her own home."

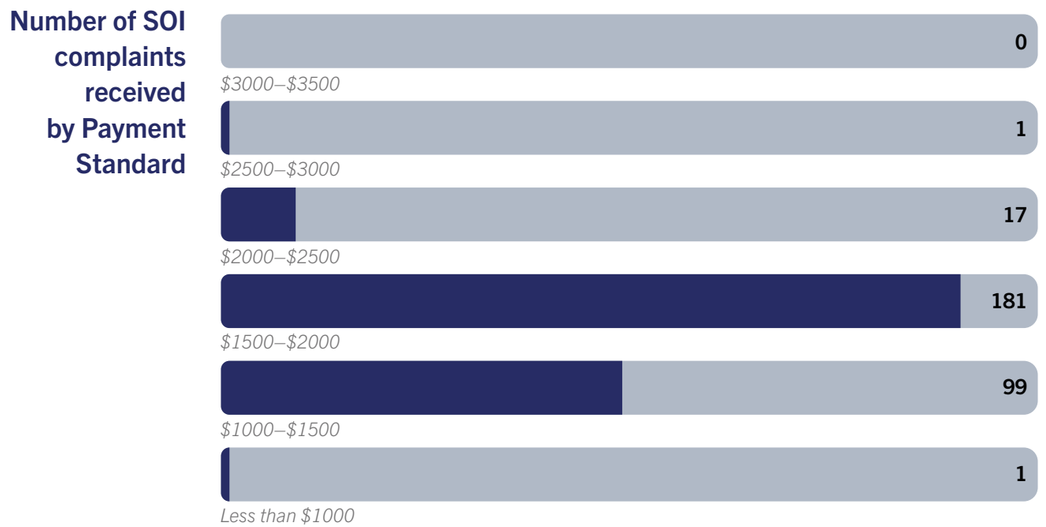


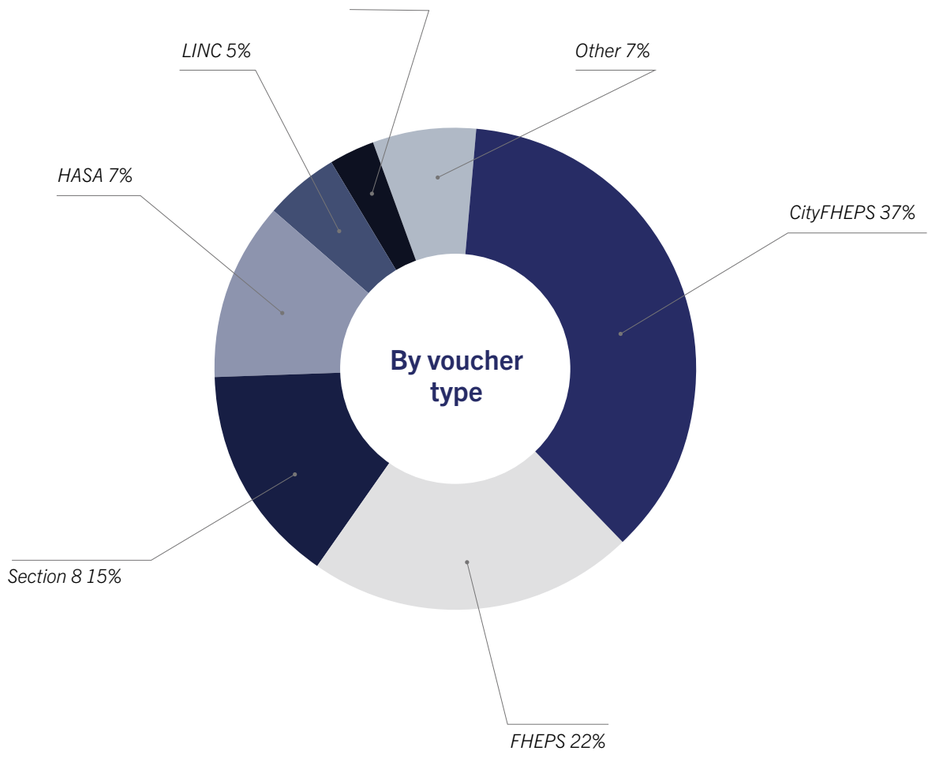
Methodology

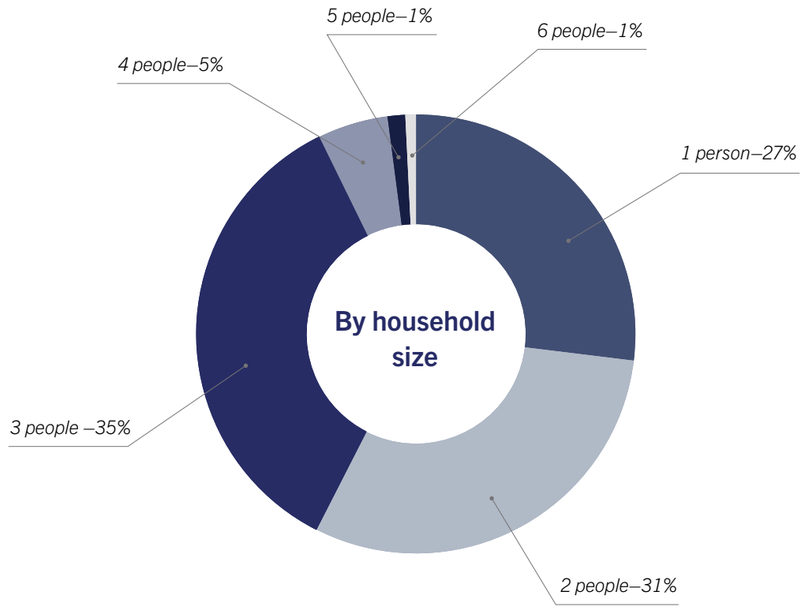
This research study combines quantitative, qualitative, and participatory action research methods to document the experiences of families and individuals seeking housing with a voucher in New York City.

Data collection

The core dataset used in our analysis comprises over 500 crowd-sourced discrimination reports. Each data point documents an instance of actual or perceived SOI discrimination reported between April 2018 and July 2021. While 500 represents a small sample size relative to the estimated number of voucher holders in New York City (200,000+), our sample is large enough to include a wide spectrum of experiences, including different types of vouchers, household sizes, and discriminatory experiences. This offers an entry point into the day-to-day challenges of looking for a home with a rental assistance voucher.







Existing studies and lawsuits on SOI discrimination typically use paired testing to uncover discriminatory behavior, where a tester poses as a tenant with a voucher and contacts real estate agents. Our unique dataset was collected thanks to Neighbors Together, who hosts regular housing clinics to assist members in applying for housing and reporting SOI discrimination. During these weekly clinics, members place phone calls to potential listings, and record their calls with the help of a staff member.

If a discriminatory incident occurs, members are encouraged to report it. In cases that are not clear-cut – for instance, when a broker stops responding after learning that the caller has a voucher - staff members typically run a "comparator test," posing as a prospective tenant and inquiring about the same apartment. This second call helps confirm whether a broker was truly unavailable, or whether they were discriminating against a tenant with a voucher by ignoring them. In a few instances, the report indicated that the comparator test was still "pending" – we chose to validate the applicant's experience and include these perceived experiences of discrimination in our analysis.

Through its housing search services, Neighbors Together collected over 500 reports from members between April 2018 – July 2021. Prior to April 2021, Neighbors Together used a Google Form to help members collect information about the incident and send a discrimination report to the NYC Commission on Human Rights. Starting in April 2021, Neighbors Together replaced its Google Form with a more user-friendly chatbot, designed and built by Unlock NYC. The chatbot is a free, mobile-based app designed to help prospective tenants collect evidence and report discrimination through a supportive, conversational step-by-step process.

Data cleaning and analysis

These crowdsourced reports were then collaboratively cleaned, deduplicated, anonymized, and geocoded by Unlock NYC, with the help volunteers from the Housing Data Coalition and the Anti-Eviction Mapping Project. We first deduplicated reports that had been submitted multiple times and removed reports that lacked a clear description of the discriminatory event. We also deleted the applicant's first name, last name, and contact information to protect privacy.

Many reports included long, qualitative descriptions of the incident that at times revealed personal details about the applicant. To appropriately anonymize the data, the volunteer team went through each report and tagged them using a set of descriptors identifying the type of denial tactic employed. We used the following tags, based on the most common discrimination experiences:

- "No vouchers" (explicit denials)
- Ghosting
- Credit score
- Income requirements
- Unit no longer available (pretending the unit was taken off the market)
- Other

Once each report had been tagged, the description column was deleted to protect anonymity.

For reports that indicated the address that the applicant was denied from, we used the NYC Planning Lab's GeoSearch API to geocode each point using a latitude and a longitude and to match each address to a borough-block-lot number (BBL). BBLs are unique identifiers used across datasets available through NYC Open Data. Using BBLs, we were able to pull in datasets about ownership and building conditions maintained by the NYC Department of Housing Preservation and Development (HPD), and available via the NYC Open Data Portal and nycdb, a centralized database maintained by the Housing Data Coalition.

In addition to building-level data, we pulled in data from the American Community Survey (five-year estimates, 2019) and from Harvard University's Opportunity Atlas to look at neighborhood-wide trends, including median rents and "high-opportunity" zones.

Quantitative data sources

- SOI discrimination data: crowdsourced reports, cleaned and anonymized
- HPD Registration Contacts from NYC Open Data via nycdb
- HPD violations from NYC Open Data
- HPD complaints from NYC Open Data
- The Opportunity Atlas, via opportunityatlas.org
- American Community Survey, via the US Census Bureau's Census API

Data interpretation

Far from being neutral or objective, making sense of data is a highly subjective process. It was critical to our process that New Yorkers with lived experience of SOI discrimination would not only help document the issue by reporting discrimination, but also be a part of analyzing and making sense of the data.

Using participatory action research methods, we organized a collaborative data interpretation workshop with members and leaders from Neighbors Together and Unlock NYC in September 2021 to present and interpret our initial data findings. Participants looked through a series of charts, graphs, and maps, and collectively drew insights from the information presented. They also identified gaps and areas for future research.

Qualitative research

In addition to analyzing crowdsourced data, we conducted a literature review to situate our study within existing research on SOI nationally and locally. We also researched the history of rental assistance vouchers and examined the current policy and enforcement landscape. Finally, we conducted and recorded interviews with member-leaders at Neighbors Together and Unlock NYC to ground our analysis in personal stories, taking stock of the emotional and material impacts of SOI on New Yorkers.

Limitations and future research opportunities

In designing this study, we seek to address a research gap highlighted by several scholars, who identified the following need: "First, more studies are needed on how SOI discrimination, both actual and perceived, affects the housing search process for voucher holders. [...] We also need more qualitative and quantitative research on the effects of SOI antidiscrimination policies, especially in cases where there is strict law enforcement."[39]

We hope that our research findings demonstrate that having antidiscrimination policies is not enough — SOI discrimination and other mechanisms of exclusion permeate the housing search process, and vigorous enforcement and adequate policy measures are required to make vouchers truly work. Still, our sample remains relatively small, and lacks additional information that would support further nuance in our analysis. For example, as a member-leader with Neighbors Together pointed out, our dataset does not include demographic data about the race and gender of applicants, making it harder to highlight or disentangle the intersections of SOI discrimination with race and gender oppression.

Given the crowdsourced nature of our data, the volume of our data in any given month is tied to the amount of outreach efforts conducted to encourage voucher holders to report. In addition, while Neighbors Together serves homeless New Yorkers from all over the city, the organization is based in Brooklyn, and could potentially skew the data towards that geographic area. Moving forward, the team at Unlock NYC is working to build partnerships with organizations across New York City to put an easy-to-use chatbot in the hands of thousands more New Yorkers, and encourage them to report and document SOI discrimination. As part of this effort, Neighbors Together and Unlock NYC collaborated with the Center for Urban Pedagogy to produce "Record It, Report It!",[40] a popular-education booklet on source of income discrimination that has been widely distributed in New York City.

From a temporal perspective, given that our dataset covers incidents reported between April 2018 - July 2021, our data provides a picture of what conditions were like prior to Intro-146, a bill which raised payment standards for CityFHEPS. Moving forward, it would be useful to track the efficacy of Intro-146 through further research and policy evaluation efforts through following questions:

- Are landlords pricing their apartments above the new voucher levels?
- To what extent are more neighborhoods becoming open to CityFHEPS voucher holders?
- Are new forms of discrimination appearing in response to new housing opportunities?

Finally, our team submitted a Freedom of Information Law (FOIL) request to the NYC Commission on Human Rights in November 2021 to substantiate our dataset with reports officially delivered to the City. As of January 2022, our request has not yet been honored — though we hope to integrate this data piece in future research efforts.

[39] Tighe, Hatch, and Mead, "Source of Income Discrimination and Fair Housing Policy," 9.
[40] Center for Urban Pedagogy, "CUP."

We hope that our research findings demonstrate that having antidiscrimination policies is not enough — SOI discrimination and other mechanisms of exclusion permeate the housing search process, and vigorous enforcement and adequate policy measures are required to make vouchers truly work.

Research Findings

We set out to collaboratively research and document the mechanisms of exclusion that keep the door shut for voucher holders, and how this impacts voucher holders. In summary, we found that:

► Voucher holders are shut out of neighborhoods by a combination of low voucher ceilings and rampant discrimination tactics (Findings #1 and 2).

► Some neighborhoods are entirely off limits for voucher holders, especially for those with CityFHEPS (Finding #1).

► In more affordable parts of the city where apartments are available within voucher price points, New Yorkers on rental assistance face discrimination through a host of tactics that prevent them from finding a home (Finding #2).

► A variety of actors deploy and enforce these mechanisms of exclusion: landlords who systematically turn down voucher holders, brokers who "gatekeep" apartments, government agencies that enact short-sighted policies, and budget choices that render vouchers ineffective (Findings #1, 2, and 3).

► As a result, New Yorkers have a lack of options of where to live, are often forced to apply for units in substandard housing, and find themselves experiencing long stretches of homelessness or housing precarity (Finding #4).

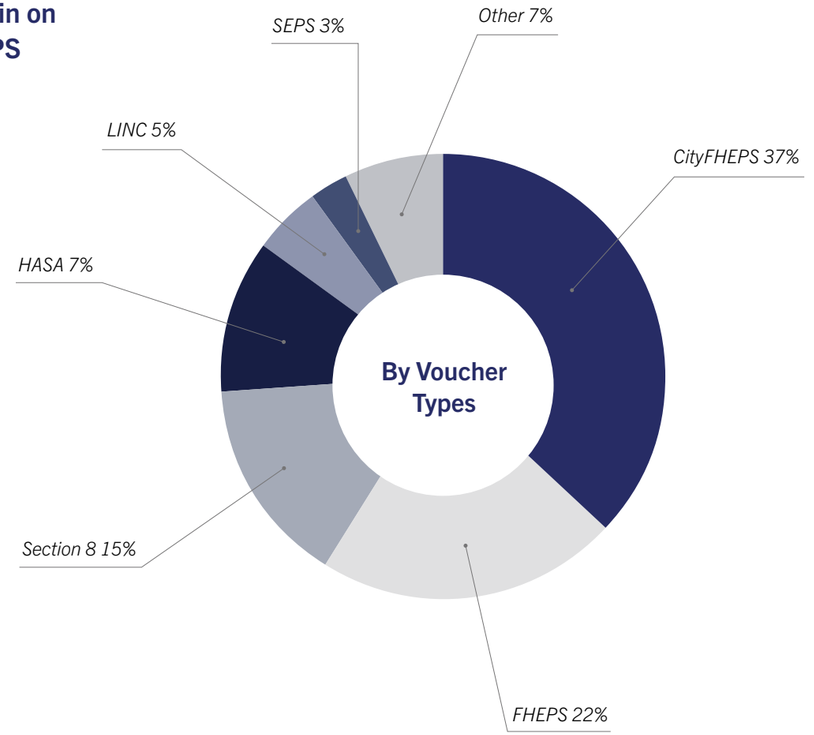
Finding #1: A combination of economic and social barriers prevent voucher holders from moving into "high-opportunity" areas. In particular, prior to Intro-146, a mismatch between voucher ceilings and median rents overwhelmingly locked CityFHEPS voucher holders out of entire neighborhoods.

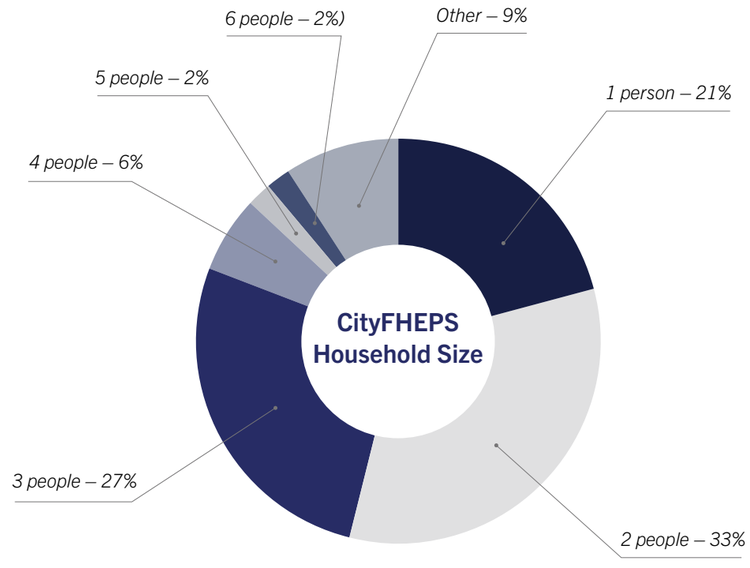
In May 2021, homeless New Yorkers organizing with VOCAL-NY, Neighbors Together, and the Urban Justice Center's Safety Net Project, won the historic passage of Intro-146 – a hard-won piece of legislation that raised CityFHEPS payment standards to Section 8 levels.[41] The CityFHEPS voucher increase went into effect in September 2021. Prior to Intro-146, for a family of three to four, CityFHEPS vouchers covered rent up to $1,580. For a family of two, it was $1,323, and for individuals, $1,265.

Over a third (37%) of people reporting discrimination in our dataset have CityFHEPS. Of those with CityFHEPS, the vast majority are in households of one, two, or three people (81%).

[41] VOCAL-NY, "Homeless New Yorkers Win Historic Passage of Intro 146," 146.

Zooming in on CityFHEPS





Out of the 190 reports sent in by New Yorkers with CityFHEPS, 126 listed the specific address of the apartment that the voucher holder tried to apply to. Using data from the American Census Survey, we mapped census tracts with median rents above $1,580 and compared them with the geographic distribution of the CityFHEPS reports in our dataset.

We found that only 23% of CityFHEPS reports were reporting discriminatory incidents in tracts where the median rent was above $1,580.

During our data interpretation workshop, voucher holders made sense of this uneven geographic distribution of reports by surfacing the following explanations:

- ► Areas with the most reports are areas where the vouchers cover the rent – it's where voucher holders can find apartments within their price points. Despite assumptions to the contrary, SOI discrimination occurs in neighborhoods across the city.
- ► People from the Bronx and Brooklyn tend to gravitate to their home boroughs due to ease of transportation, and proximity to local support and childcare networks.
- ► Voucher holders may avoid applying to units altogether in areas that they know won't be affordable. Their lived experience of being screened more intensely and looked at differently pushes them into searching for housing in areas that have been redlined.

Based on these insights, it became clear that our data not only depicts instances of discrimination, but can also serve as a proxy to understand where New Yorkers with vouchers can apply for housing in the first place. When mapped, our dataset traces the contours of the neighborhoods that are within reach – while absences indicate neighborhoods that are economically and socially off limits.

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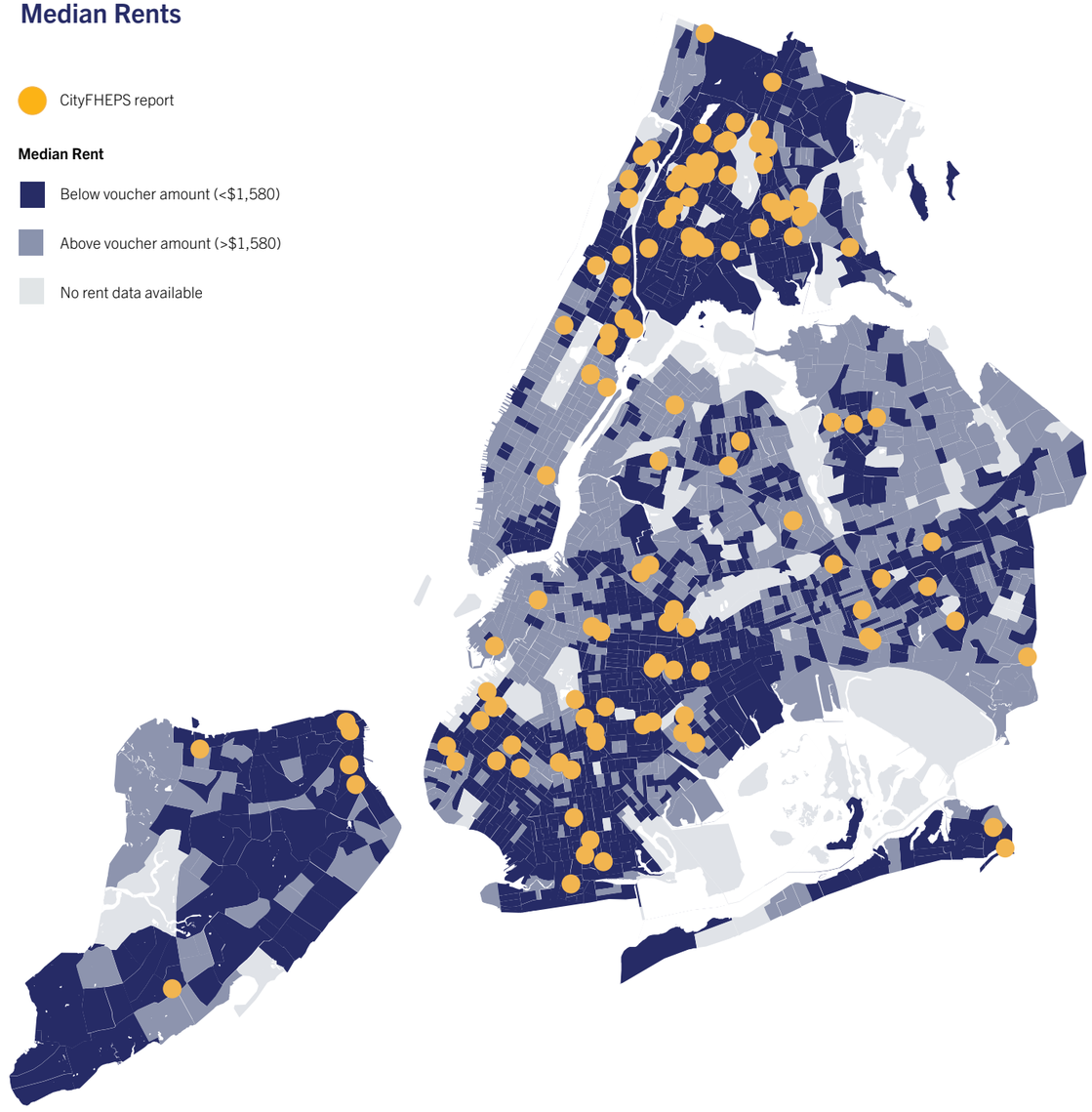
CityFHEPS Reports and Median Rents



Data Source: SOI Data; American Community Survey 2019

High-Opportunity Areas

Given that vouchers are intended to allow people to move into "higher-opportunity areas," we also compared our CityFHEPS reports dataset to data from Harvard University's Opportunity Atlas. The Opportunity Atlas uses a set of indicators to map opportunity across American cities, tracking how growing up in different neighborhoods impacts household income over time. The primary indicator used is household income at age 35. As the following map illustrates, most vouchers are being used in neighborhoods deemed "lower-opportunity," per Harvard University's definition.

This map illustrates what many voucher holders know from experience. As one of our interviewees described, **"...you're stuck with these voucher amounts, and most people I've seen are going back to the same neighborhoods that were racially divided and redlined."** When describing where she would like to move to, our interviewee Fannie Lou Diane, concludes, "A lot of those places are unfortunately out of reach for people like myself."[42]

Moreover, our interviewees were explicit in that they do not have "choice" as to where they can rent with their vouchers. Elizabeth spoke to the impossibility of renting in Brooklyn with CityFHEPS, relaying an experience where shelter employees shamed her for looking anywhere beyond the Bronx and Staten Island. Despite working hard to provide a pillar of stability for her children by sending then to a Catholic school in Brooklyn their entire lives, Elizabeth was told that her only option would be to once again uproot her disabled children in the name of ever-precarious "stability."[43]

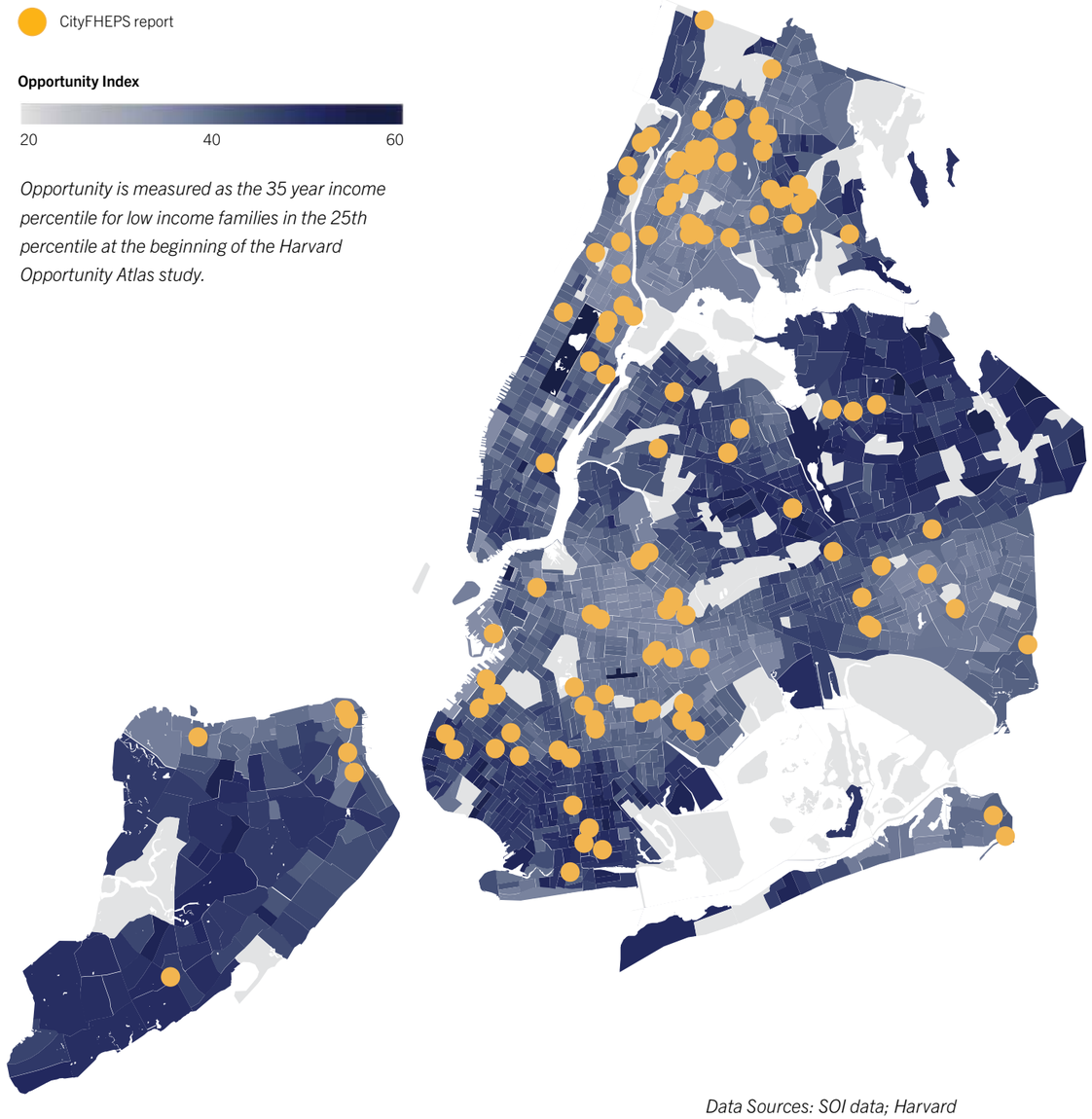
Conclusion

In summary, prohibitive rental prices in areas considered "high-opportunity" bar CityFHEPS voucher holders from moving in. These economic barriers are compounded by psychological barriers. For instance, New Yorkers with vouchers may not apply to expensive neighborhoods in Manhattan both because they can't find apartments at their price point, and because they don't see themselves as being welcomed there, anticipating discrimination.

In summary, prohibitive rental prices in areas considered "high-opportunity" bar CityFHEPS voucher holders from moving in. These economic barriers are compounded by psychological barriers.

[42]Fannie Lou Diane, Interview.
[43]Elizabeth Byrd, Interview.

CityFHEPS Reports and Opportunity Areas



Opportunity is measured as the 35 year income percentile for low income families in the 25th percentile at the beginning of the Harvard Opportunity Atlas study.

Data Sources: SOI data; Harvard Opportunity Atlas.

Finding #2: Brokers employ a multitude of tactics to turn voucher holders down. The most common denial tactic is ghosting, and it has become increasingly prevalent over time.

As we've illustrated in our previous finding, many neighborhoods are off-limits for voucher holders. Unfortunately, in the neighborhoods that are economically within reach, voucher holders apply for housing and still face SOI discrimination. Here we turn to examine the most prevalent types of SOI discrimination found in our dataset.

Common Denial Tactics

Our analysis shows that brokers use a number of denial tactics to turn voucher holders down, including:

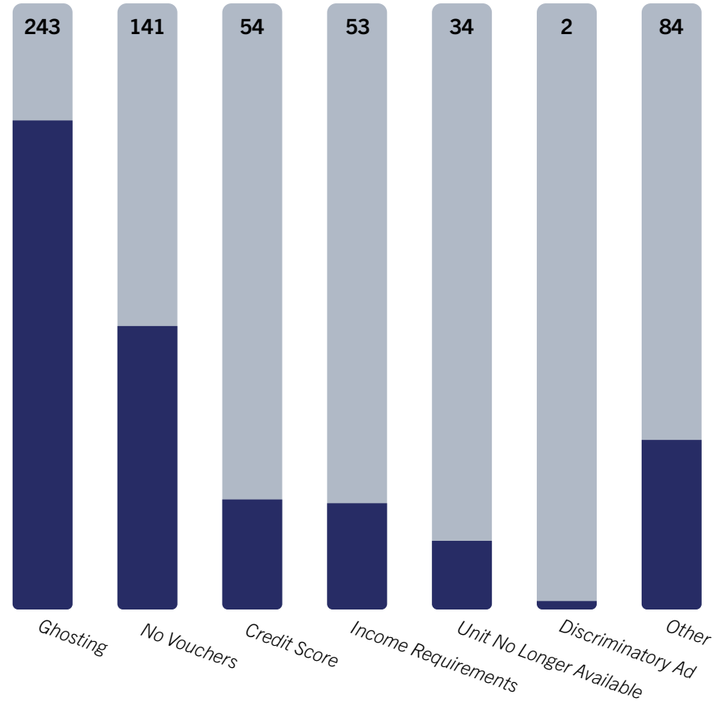
- ► Explicit denials ("the landlord doesn't take vouchers" or "no programs");
- ► Not responding after a voucher is mentioned (also known as "ghosting");
- ► Using income requirements ("you need to earn 40x the rent)". As long as a tenant's voucher covers the rent of the apartment they are applying for, they cannot be subjected to income requirements,[44] nor required to provide a guarantor. Tenants whose vouchers cover 100% of the rent also cannot be rejected based on their credit score;[45]
- ► Credit score thresholds ("you need a minimum 750 credit score");

Pretending the unit is no longer available. Of these denial tactics, the most common one is ghosting (40%), followed by explicit denials (23%). Income and credit score requirements are often used jointly, but not always.

Our interviewees described the many excuses that brokers employ to turn down a voucher holder or get them off the phone. For instance, while looking at apartments on Facebook, Fannie Lou Diane reached out to the broker associated with a listing. After informing a broker that her voucher would cover the full rent, the broker stopped responding. When she called him out for not taking vouchers, he said "no, I take vouchers, but I have enough voucher clients."[46]

Of these denial tactics, the most common one is ghosting (40%), followed by explicit denials (23%). Income and credit score requirements are often used jointly, but not always.

Denial tactics by Frequency, 2018–Present



Similarly, Elizabeth described how brokers would often tell her "oh no, we don't do that [take vouchers]," or "yeah, we do have apartments that take vouchers… leave your information and we'll get back to you." Then, she'd wait, and keep trying: "I mean, I went to an office, I literally spoke to the person on the phone, went there, gave them my information, on paper and okay, you know, 'we'll get back.' I think I went there four more times and that person was never there again. I could never get in contact with her, call, email." [47]

[44] NYC Commission on Human Rights, "Source of Income Discrimination: A Tenant Advocate's FAQ."
[45] NYC Commission on Human Rights.
[46] Fannie Lou Diane, Interview.
[47] Elizabeth Byrd, Interview.

Prevalence Over Time

In addition to analyzing the most common types of denial tactics, we also tracked how their prevalence has changed over time. Some tactics, like income requirements, have stayed relatively constant over the years, with zero to five incidents reported each month. Others, like ghosting, have increased significantly over time.

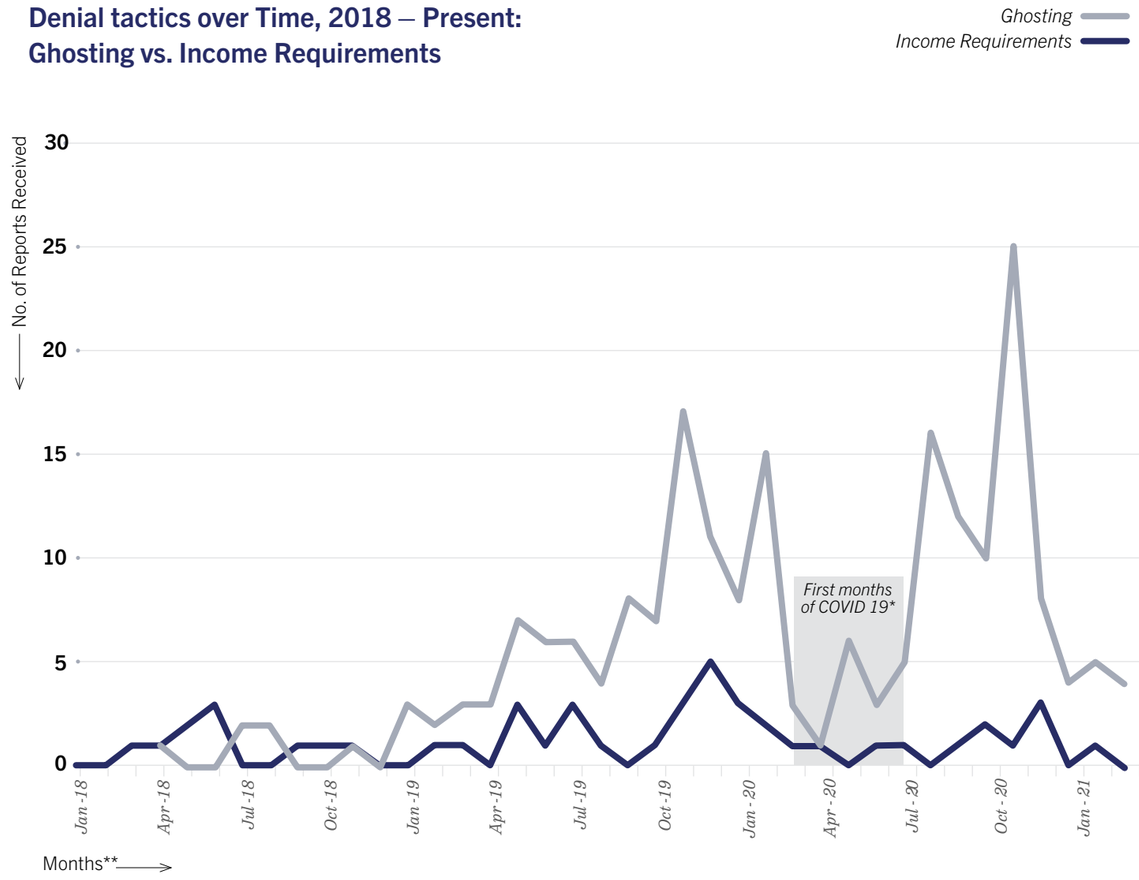
In 2018, ghosting was rare, with only zero to two reports each month mentioning it as the denial tactic employed. The uptick in ghosting started around May 2019, during which seven different reports described a ghosting incident. Since then, ghosting has become more frequent, with as many as 25 reports documenting incidents of ghosting in a single month. Our interpretation is that as enforcement agencies have cracked down on clear-cut cases of SOI discrimination, brokers have adapted and developed new tactics that are harder to catch and enforce.

Conclusion

In summary, brokers act as gatekeepers who have the power to grant access to an apartment viewing or not. This is unsurprising given the real estate industry's history as a white establishment[48] and its role in perpetuating urban segregation through racist tactics like blockbusting and racial steering.[49] Broker tactics for denying voucher holders have adapted and diversified over time, becoming harder to catch. It is critical to track their evolving tactics, provide adequate know your rights information to voucher holders to help them recognize and report discrimination when they experience it, and implement adequate repercussions for brokers who break the law by denying voucher holders.

[48]Szto, "Real Estate Agents as Agents of Social Change: Redlining, Reverse Redlining, and Greenlining," 7–8.
[49]Mehlhorn, "A Requiem for Blockbusting: Law, Economics, and Race-Based Real Estate Speculation"; Szto, "Real Estate Agents as Agents of Social Change: Redlining, Reverse Redlining, and Greenlining," 40.

Denial tactics over Time, 2018 – Present: Ghosting vs. Income Requirements



*It is worth noting that there was a significant drop in reporting during the first months of the pandemic (March - June 2020), when New York State was "on pause" and the real estate market had essentially temporarily closed. Neighbors Together was closed and unable to host weekly housing search workshops, and case managers responsible for helping file voucher paperwork were hard to reach. With few units on the market and support systems on hold, fewer people were searching and reporting – and therefore fewer incidents of SOI discrimination happened overall.

**In this temporal analysis, we chose to exclude reports received between April and July 2021 from our analysis. Starting in April 2021, Neighbors Together replaced their Google Form with Unlock NYC's chatbot. On the chatbot, users can indicate a specific date for the discriminatory incident or choose from a set of a qualitative descriptions ("it happened more than a month ago," "more than a week ago," "last year"). To keep our data precise, we excluded these reports since they were not tied to a specific date.

Finding #3: We found several landlords who routinely deny voucher holders in our dataset. These repeat offenders not only discriminate against prospective tenants with vouchers, but also illegally harass, evict, and endanger the safety of their current tenants.

While brokers should be held accountable for their role in perpetuating discrimination, their practices often mirror or reinforce discriminatory mandates coming from landlords. As such, we used open data about building ownership to identify landlords who serially discriminate against voucher holders. For every building in our data registered with HPD, we cross-checked who was listed as the building's "Head Officer," as indicated by HPD records.

While our dataset is relatively small (500 reports), we found several repeat offenders in our dataset, and one particularly egregious outlier who has made SOI discrimination a systematic practice in his portfolio. Below, we highlight the profiles of these serial discriminators.

Worst discriminator: Jonathan Wiener

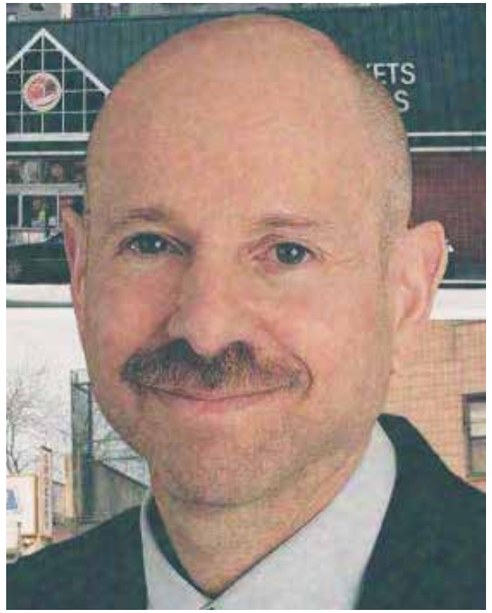
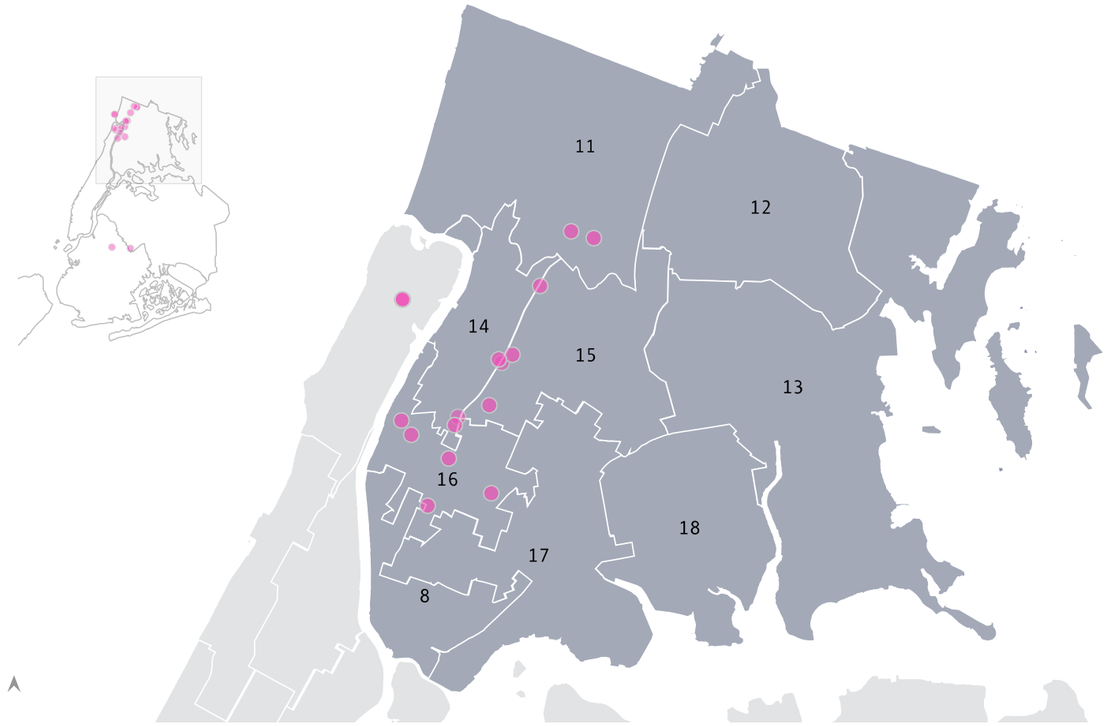


Image source: The Real Deal

[50] Goldberg, "New Yorkers Sue Bronx Real Estate Company for Refusing Vouchers."
[51] Right to Counsel Coalition, JustFixNYC, and the Anti-Eviction Mapping Project, "NYC's Top 20 Worst Evictors in 2019."
[52] "NYC Landlord Becomes a Billionaire, Thanks to Gentrification Boom."
[53] Goldberg, "New Yorkers Sue Bronx Real Estate Company for Refusing Vouchers."
[54] Goldberg, "New Yorkers Sue Bronx Real Estate Company for Refusing Vouchers."

Map of Jonathan Wiener properties (citywide and the Bronx)



The worst discriminator in our dataset is Jonathan Wiener – we tied 20 instances of SOI discrimination back to his properties. Similar to citywide trends, the most common tactic employed by Chestnut Holdings is ghosting (recorded in 13 separate instances of discrimination in his portfolio).

Jonathan Wiener is the President of Chestnut Holdings, a real-estate investment and property management company that handles more than 6,000 apartments in 134 buildings in the Bronx, Manhattan and Brooklyn.[50] Wiener is one of the largest owners of rent-stabilized housing in the Bronx,[51] and his brother, Joel Wiener, is the CEO of the Pinnacle Group – a real estate management firm notorious for harassing and displacing rent-stabilized tenants.[52] In November 2021, eight voucher holders, represented by Legal Services NYC, filed a lawsuit against Chestnut Holdings and its brokers on the basis of SOI discrimination. Chestnut affiliates denied these prospective tenants housing upon learning they are voucher holders.[53] According to Jean Fishman, a lawyer with Legal Services NYC representing the prospective tenants, it appears that Chestnut Holdings has a policy and practice of not renting to people who have housing vouchers.

In addition to serially discriminating against prospective tenants with vouchers, Chestnut Holdings is on the citywide Worst Evictors List, a list compiled annually by the Right to Counsel Coalition and JustFix.nyc using open data. Since 2017, Chestnut Holdings has evicted 312 households. The management firm has also been repeatedly sued for lack of repairs, lead paint, and other neglectful conditions in the building it manages.[54] **These data points indicate patterns of illegal and harmful behavior in how Chestnut Holdings treats both current and prospective tenants.**

Dishonorable mention: Philip Goldfarb

While not as egregious as Jonathan Wiener, Philip Goldfarb, of Goldfarb Properties, came up four times in our dataset. Goldfarb Properties was one of five large landlords sued by the NYC Commission on Human Rights for repeatedly denying voucher holders back in 2017. In addition, the Fair Housing Justice Center sued them for SOI discrimination in federal court in 2018[55]. In addition to violating SOI laws, Goldfarb was investigated in 2015 for unlawful evictions and tenant harassment in the Bronx, including cutting off elevator access for elderly tenants and for leaving tenants without gas service 29 consecutive days.

Conclusion

These serial discriminators point to the need for stronger enforcement and accountability measures. Until it becomes economically unviable for landlords to discriminate against voucher holders, large landlords with deep pockets will continue to conduct discriminatory activities, and will consider these lawsuits an acceptable cost of their business-as-usual.

[55]Rodriguez, "Banned A Decade Ago, Housing Discrimination Against Those With Section 8 Still Persists."

Finding #4: Faced with a lack of options, New Yorkers with vouchers tend to be limited to apartments in distressed, unsafe conditions, and experience prolonged stays in the shelter system.

As the data shows, New Yorkers with vouchers are constrained in their living choices by both inadequate voucher ceilings and discriminatory practices in the rental market. This lack of choice limits the types of housing voucher holders can apply to. Here we examine the gap between what voucher holders want and need in a home, and the kinds of housing they end up having access to.

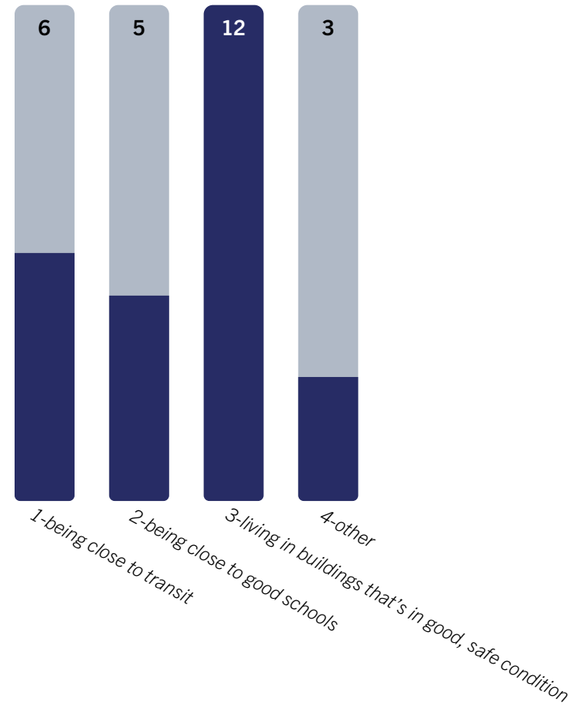
In May 2021, Unlock NYC conducted a brief SMS survey to learn more about what is top of mind for our users when they are looking for housing with a voucher. Though our sample size was limited, living in a building that in safe, good condition came out as the top choice (60%), before proximity to good schools and public transit.

Cross-analyzing our SOI dataset with open data about HPD violations, we found that New Yorkers with vouchers are applying to buildings that have an average rate of 1.3 open violations per unit. This rate is significantly higher than the citywide average of 0.8 open violations per unit,[56] indicating a more distressed housing stock.

In addition, we found that 49.5% of buildings in our dataset had at least one open violation, and 38.1% had at least one open "Class C" violations. Class C violations include heat and hot water violations, lead-paint violations, and other issues deemed "immediately hazardous" by HPD.

[56]JustFix.nyc, "Who Owns What in Nyc?"

Faced with a lack of options, New Yorkers with vouchers tend to apply to apartments in distressed, unsafe conditions — and experience prolonged stays in shelter system.



49.5%
Number of buildings in our dataset with at least 1 open violation

38.1%
Number of buildings in our dataset with have at least 1 open Class C violation

As a member-leader from Neighbors Together commenting on these statistics observed, **"voucher holders only have access to buildings with a lot of violations."** While living in a building in safe, good condition is important to voucher holders, lack of choice forces voucher holders to apply for substandard housing. These unsafe conditions create red tape down the line, as people sometimes waste time applying to an apartment that then doesn't pass inspection, and then have to start their housing search all over again.

Furthermore, many members of our communities already have pre-existing health conditions from living in homes and neighborhoods impacted by environmental racism. One of our interviewees was evicted from her apartment after battling her landlord to remediate the unit's toxic mold and bed bug infestation. Reflecting on her journey since the eviction, she explained, "I'm still ill from leaving that apartment, and that was almost three years ago, because of the fact I lived in a hazardous, environmentally unsafe place." [57]

Conclusion

As we have outlined through this set of findings, low voucher ceilings, rampant discrimination, and lack of adequate enforcement measures restrict housing options for voucher holders. This lack of choice not only gives rise to a second-tier housing market, but also causes many voucher holders to cycle in and out of homelessness. One of our interviewee's reflected on her family's experience in the shelter system and the lasting feeling of inescapability imprinted on her kids. Elizabeth recalled that when she and her family finally found and moved into their Bronx apartment, her eldest son was in denial. Born and raised in the shelter system, he told her, "something always happens and we gotta move." She elaborated, "Spend one year there, move again, living in the shelter for four or five years, moved to a studio, then moved to a one-bedroom apartment, back to the shelter and now more permanent housing. So, I can totally understand, you know, him saying that comment, like 'is anything gonna be safe and stable for us ever?' He doesn't know what safe and stable is." [58]

[57] Fannie Lou Diane, Interview.
[58] Elizabeth Byrd, Interview.

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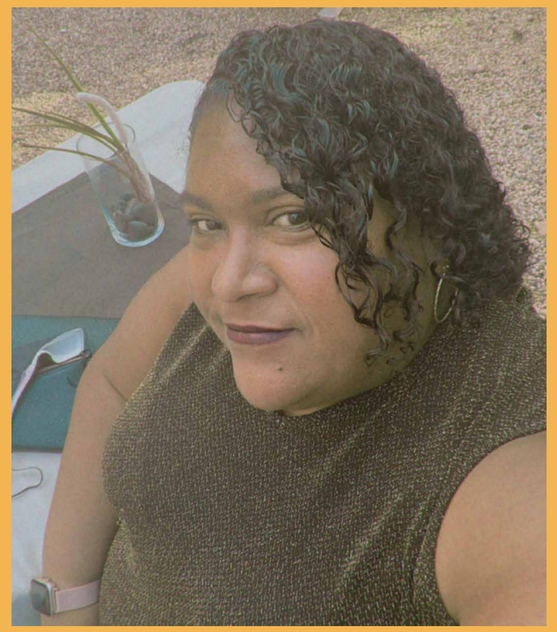

Elizabeth Byrd immigrated from Belize to the Bronx 18 years ago, has been a voucher holder for 16 of those years, and today is a leading housing justice advocate at Unlock NYC. As an immigrant woman of color and single mother of six children, Elizabeth's experience as a voucher holder speaks to the near insurmountable barriers systematically placed in front of those most vulnerable as they fight to secure stable housing.

"I had two jobs, lost both jobs. Can't pay the rent, can't get a voucher. They say, I have to go to the shelter. We have to make this transition. I think one of the biggest things that needs to change first is the shelter system. With all my kids, the worst part of the shelter is the transition... it's very traumatizing."

Policy Recommendations

A 2017 article analyzing fair housing policy and antidiscrimination laws across the country found that **"even in areas where there are SOI antidiscrimination laws, there is concern that nonexistent or unequal policy enforcement tempers potential positive outcomes."**[59] While New York City and New York State have implemented laws that protect voucher holders from SOI discrimination, it is not enough. As we have documented in this report, the door remains shut for thousands of voucher-holding New Yorkers experiencing homelessness and/or housing precarity.

The policy recommendations below strive to decrease housing inequality by strengthening antidiscrimination enforcement measures, preventing homelessness, and ensuring that homelessness New Yorkers are rehoused quickly. Many of these policy solutions reiterate and build on the recommendations formulated by VOCAL-NY and TakeRoot Justice's report "Vouchers to Nowhere: How Source of Income Discrimination Happens and the Policies That Can Fix It." Together, these policies would maximize vouchers effectiveness, protect voucher holders from discrimination, and alleviate our homelessness crisis.

Even in areas where there are SOI antidiscrimination laws, there is concern that nonexistent or unequal policy enforcement tempers potential positive outcomes.

[59] Tighe, Hatch, and Mead, "Source of Income Discrimination and Fair Housing Policy," 8.

New York City

1. **Strengthen anti-discrimination enforcement measures**

   a. **Increase funding for CCHR SOI unit.** In recent years, the unit lost staff and was unable to replace them due to hiring freezes, PEGs (Programs to Eliminate the Gap), and has been functioning at 50% capacity for more than a year. Additionally, with the increase in the CityFHEPS payment standard, the influx of Emergency Housing Vouchers from the federal government, and the 2021 broadening of the NYC Human Rights Law on SOI, the load on the unit has increased significantly. In order to prevent capacity bottlenecks and support CCHR's ability to enforce the law, the new mayoral administration must increase funding for the CCHR SOI unit by at minimum $1,000,000 in FY23.

   b. **Include SOI discrimination as a form of harassment in the "Certificate of No Harassment"**[60] (CONH) Program. As noted by VOCAL-NY and TakeRoot Justice, most instances of SOI discrimination take place before a voucher holder moves into a building and becomes a tenant, and therefore do not produce visible records of tenant harassment. SOI discrimination should be taken into account when HPD reviews a landlord under the CONH program, and a record of SOI discrimination should automatically disqualify a landlord's CONH application.

   c. **Increase fines on discriminatory landlords to actively deter SOI discrimination.** Although current fines exist, it remains economically viable for landlords, especially those with large portfolios, to discriminate against voucher holders. Fines for SOI discrimination must be raised to the point where they become a deterrent for landlords.

   d. **Publicly list SOI discrimination instances on the HPD building info database.** The availability of open data in New York City since the passage of the Open Data Law in 2012 has allowed housing advocates to track bad actors in the housing market, including neglectful landlords, predatory equity, and serial evictors. Yet, data about SOI discrimination is not systematically recorded, nor made publicly available. Having a public record of SOI instances at the building-level would allow enforcement agencies and advocates to better pinpoint bad actors and hold them accountable for breaking the law.

[60] TakeRoot Justice, VOCAL-NY, "Vouchers To Nowhere," 12.
[61] Pitt, "Credit Scores Put Black Americans at a Disadvantage — Here's How."
[62] Stein, "Assessing de Blasio's Housing Legacy."
[63] Win, "Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor."

2. **Ensure homeless New Yorkers can access housing quickly**

   a. **Eliminate credit requirement for voucher holders.** Credit score thresholds are a common tactic used to discriminate against voucher holders. Often people with vouchers pay little to no portion of their rent and government supplements the cost of housing; credit scores create an unnecessary barrier to securing housing when the city or state are paying for the majority of the monthly rent. Moreover, credit is an inaccurate measure of ability and willingness to pay rent. Low credit scores can exist for a variety of reasons unrelated to rent; medical debt, student loan debt, identity theft, etc. Additionally, credit is an inherently flawed measure rooted in racism and systemic oppression: Black and brown communities have been systemically denied the ability to build wealth, making them more likely to either have lower credit scores, or be credit invisible.[61]

   b. **Build more affordable housing targeted to households at or below 30% of AMI.** The majority of the housing created or preserved under former Mayor de Blasio's affordable housing plan was for households with higher incomes, and was not accessible to homeless New Yorkers.[62] The significant mismatch between the housing built and the incomes of people experiencing homelessness contributed significantly to the homelessness crisis. This major policy flaw must be remedied by Mayor Eric Adams.

   c. **Decrease caseloads for case managers and housing specialists so that they are able to give meaningful assistance to homeless clients looking for housing with vouchers.** Unmanageably large caseloads mean that homeless New Yorkers in the shelter system rarely get adequate time to meet with their case managers and housing specialists, unnecessarily prolonging the amount of time people are homeless. Increased funding for more housing specialists and case managers would create smaller caseloads and free up capacity of shelter staff to help clients searching for housing.[63]

3. **Miscellaneous**

   a. Provide funding to grassroots organizations that are assisting voucher holders with Know Your Rights trainings and housing searches. Investing in organizations that are already experts in SOI and assisting voucher holders to secure housing would increase placement capacity and timeliness to ensure voucher holders are housed. It would also create capacity for organizations to share effective models so that they can be replicated among organizations citywide.

New York State

1. Strengthen anti-discrimination enforcement measures

a. Improve coordination between enforcement agencies at the state and city level. Currently, the multitude of agencies responsible for enforcing SOI protections include the NYC Human Resources Administration SOI unit, the NYC Commission on Human Rights, the NYS Division on Human Rights, and the New York State Attorney General's Office. Currently, these agencies do not regularly interface with each other. Enforcement agencies should work together to exchange information, identify new trends, and increase public education across the city and state.

b. Ensure that every voucher holding New Yorker receives adequate information about their rights and pathways to justice. Every person with a voucher should be notified of lawful source of income laws and how to identify and report discrimination during their housing search. Voucher holders also need clarity on their options for enforcing their rights, as well as the timeline and possible outcomes for different legal pathways.

c. Require enforcement agencies to publicly report how many SOI complaints they receive each year and to track outcomes through clear metrics. Currently, enforcement agencies tend to be opaque about their track record for addressing SOI complaints. At times, cases can in limbo for months, if not years. To improve accountability, agencies should regularly disclose how many SOI complaints they have received, how many voucher holders they have directly helped secure housing, what types of settlements they have won through lawsuits, how they define whether a case is "resolved," and how long it takes to go from complaint to resolution.

2. Prevent homelessness

a. Pass Good Cause Eviction: This bill would provide tenant protections to the 1.6 million households living in unregulated rental units statewide, 600,000 of whom live in New York City. Good Cause Eviction would protect unregulated renters from retaliatory evictions, unconscionable rent increases, and arbitrary refusal to renew their lease. Adding these protections for unregulated renters would help prevent the very conditions that cause families and individuals to fall into homelessness.

3. Ensure homeless New Yorkers can access housing quickly

a. Pass the Housing Access Voucher Program: This bill would create a statewide voucher that pays fair market rent and allows recipients to increase their earnings until their rent is 30% of their income. It is targeted to the lowest-income New Yorkers, who are the majority of the people homeless in New York City and State. The vouchers would be split between individuals that are currently homeless and those at risk of eviction. This would provide homeless individuals the opportunity to access quality, stable, affordable housing and increase their incomes until they are self-supporting. It would also stabilize homeless New Yorkers by providing rent support that will keep them in their homes.

BIBLIOGRAPHY

Blumsack, Amy. Informal interview with Amy Blumsack, Director of Organizing at Neighbors Together, October 15, 2021.

Brand, David. "Bronx Tenants Still Locked Out of Homes 18 Months After Fire." City Limits, September 28, 2021. https://citylimits.org/2021/09/28/bronx-tenants-still-locked-out-of-homes-18-months-after-fire/.

"NYC's 'Hollowed Out' Enforcement Units Struggle to Keep Pace on Housing Discrimination Cases." City Limits, June 1, 2021. https://citylimits.org/2021/06/01/nycs-hollowed-out-enforcement-units-struggle-to-keep-pace-on-housing-discrimination-cases/.

Center for Urban Pedagogy. "Record It. Report It!," 2021. http://welcometocup.org/Projects/PublicAccessDesign/RecordItReportIt.

Center on Budget and Policy Priorities. "Federal Rental Assistance Fact Sheets." Fact Sheet, June 1, 2021. https://www.cbpp.org/research/housing/federal-rental-assistance-fact-sheets.

Coalition for the Homeless. "State of the Homeless 2021," April 2021. https://www.coalitionforthehomeless.org/wp-content/uploads/2021/04/StateOfTheHomeless2021.pdf.

Cunningham, Mary K., Martha M. Galvez, Claudia Aranda, Robert Santos, Douglas A. Wissoker, Alyse D. Oneto, Rob Pitingolo, and James Crawford. "A Pilot Study of Landlord Acceptance of Housing Choice Vouchers." Governmental Report. US Department of Housing and Urban Development, August 17, 2018. https://www.urban.org/research/publication/pilot-study-landlord-acceptance-housing-choice-vouchers.

Curley, Alexandra, Erin Michelle Graves, and Gretchen Weismann. "Barriers and Opportunities in the Housing Voucher Program: The Importance of Race in the Housing Search Process." Federal Reserve Bank of Boston, August 8, 2019. https://www.bostonfed.org/publications/community-development-issue-briefs/2019/barriers-opportunities-housing-voucher-program.aspx.

Elizabeth Byrd. Interview. Zoom, November 5, 2021. Archived by the Anti-Eviction Mapping Project.

Fannie Lou Diane. Interview. Zoom, October 31, 2021. Archived by the Anti-Eviction Mapping Project.

Galvez, Martha M., Solomon Greene, Alyse D. Oneto, and Patrick Spauster. "Protecting Housing Choice Voucher Holders from Discrimination: Lessons from Oregon and Texas." Policy Brief. The Urban Institute, October 20, 2020. https://www.urban.org/research/publication/protecting-housing-choice-voucher-holders-discrimination-lessons-oregon-and-texas.

Goldberg, Noah. "New Yorkers Sue Bronx Real Estate Company for Refusing Vouchers." NY Daily News, November 8, 2021, sec. New York. https://www.nydailynews.com/new-york/ny-vouchers-homeless-real-estate-20211108-ul4hsjgx4nhhzmostn2rly7tcy-story.html.

Haag, Matthew. "'She Wants Well-Qualified People': 88 Landlords Accused of Housing Bias." The New York Times, March 15, 2021, sec. New York. https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html.

"Homeless Can't Stay Home NYC." Accessed December 10, 2021. https://www.homelesscantstayhome.org/.

Hoy, Seth. "NYCCommission on Human Rights Charges Five Large Landlords and Brokers Controlling Approximately 20,000 Units Citywide with Discrimination for Repeatedly Refusing to Accept Housing Vouchers In," January 10, 2017. https://www1.nyc.gov/assets/cchr/downloads/pdf/press-releases/PressRelease_NYCCHR_SourceofIncomeCases.pdf.

JustFix.nyc. "Who Owns What in Nyc?" Who owns what in nyc? Accessed December 5, 2021. https://whoownswhat.justfix.nyc.

Lucy Block. "220,000 Tenants on the Brink and Counting." Association for Neighborhood and Housing Development (blog), March 16, 2021. https://anhd.org/blog/220000-tenants-brink-and-counting.

Madden, David, and Peter Marcuse. In Defense of Housing: The Politics of Crisis. Verso Books, 2016.

Mehlhorn, Dmitri. "A Requiem for Blockbusting: Law, Economics, and Race-Based Real Estate Speculation" 67, no. 3 (1998): 50.

New York Advisory Committee to the U.S. Commission on Civil Rights. "Forthcoming Report on Racial Discrimination in Rental Housing Eviction Policies and Enforcement in New York State.," forthcoming.

New York City Commission on Human Rights. "CCHR Annual Report FY20. Table: Inquiries by Protected Class and Jurisdiction." Governmental Report. New York, 2020. https://www1.nyc.gov/site/cchr/media/reports/annual-reports.page.

———. "CCHR Annual Report FY21. Table: Inquiries by Protected Class and Jurisdiction." Governmental Report. New York, 2021. https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/CCHRAnnualReport2021.pdf.

NY State Senate. "New York Focus: Will Rental Vouchers to Prevent Homelessness Make the State Budget?," April 4, 2021. https://www.nysenate.gov/newsroom/in-the-news/brian-kavanagh/new-york-focus-will-rental-vouchers-prevent-homelessness-make.

New York State Attorney General. "Source of Income Discrimination." Accessed November 27, 2021. https://ag.ny.gov/source-income-discrimination.

New York State Division of Human Rights. New York State Human Rights Law, § 5-a (2019). https://dhr.ny.gov/law.

Nova, Greg Iacurci, Annie. "They Lived Paycheck to Paycheck before the Pandemic. Then Their Worst Nightmare Came True." CNBC, November 7, 2020, sec. Personal Finance. https://www.cnbc.com/2020/11/07/they-lived-paycheck-to-paycheck-then-the-pandemic-hit-.html.

NYC Commission on Human Rights. "Source of Income Discrimination." Accessed November 27, 2021. https://www1.nyc.gov/site/cchr/law/source-of-income.page.

———. "Source of Income Discrimination: A Tenant Advocate's FAQ," January 2021. https://www1.nyc.gov/assets/cchr/downloads/pdf/materials/FairHouse_FAQs-Tenant-English.pdf.

NYC Department of Housing Preservation and Development. "Where We Live NYC: Confronting Segregation and Taking Action to Advance Opportunity for All." New York City, October 20, 2020. https://wherewelive.cityofnewyork.us/the-plan/read-the-plan/.

Bloomberg.com. "NYC Landlord Becomes a Billionaire, Thanks to Gentrification Boom," November 20, 2017. https://www.bloomberg.com/news/articles/2017-11-20/billionaire-landlord-finds-fortune-in-nyc-s-gentrification-boom.

Pereira, Sydney. "NYC Is Requiring Landlords Set Aside Apartments For Voucher Tenants Under New Approach To Enforcing Human Rights Law." Gothamist, September 11, 2020. https://gothamist.com.

Pitt, Sofia. "Credit Scores Put Black Americans at a Disadvantage — Here's How." Grow from Acorns + CNBC, June 17, 2020. https://grow.acorns.com/how-credit-scoring-contributes-to-racial-wealth-gap/.

Center on Budget and Policy Priorities. "Rents Have Risen More Than Incomes in Nearly Every State Since 2001." Accessed January 9, 2022. https://www.cbpp.org/blog/rents-have-risen-more-than-incomes-in-nearly-every-state-since-2001.

Right to Counsel Coalition, JustFixNYC, and the Anti-Eviction Mapping Project. "NYC's Top 20 Worst Evictors in 2019." NYC's Worst Evictors. Accessed December 5, 2021. https://www.worstevictorsnyc.org/evictors-list/citywide/.

Rodriguez, Cindy. "Banned A Decade Ago, Housing Discrimination Against Those With Section 8 Still Persists." Gothamist, December 16, 2019. https://gothamist.com.

Sanchez, Hazel. "Lawsuit Accuses Major Real Estate Firms Of Discriminating Against Low-Income New Yorkers With Housing Vouchers." CBS New York, March 15, 2021. https://newyork.cbslocal.com/2021/03/15/low-income-housing-vouchers-lawsuit-corcoran-group-century-21-housing-rights-initiative/.

Staff, News 12. "AG Files Suit against Property Management Company for Failing to Comply with Lead Law." News 12 - The Bronx, February 27, 2020. https://bronx.news12.com/ag-files-suit-against-property-management-company-for-failing-to-comply-with-lead-law-41828910.

Stein, Sam. "Assessing de Blasio's Housing Legacy: Why Hasn't the 'Most Ambitious Affordable Housing Program' Produced a More Affordable City?" Community Service Society of New York, February 2021. https://www.cssny.org/publications/entry/assessing-de-blasios-housing-legacy.

Stewart, Nikita. "New York City Sues Landlords Who Refuse Government Vouchers." The New York Times, June 20, 2018, sec. New York. https://www.nytimes.com/2018/06/20/nyregion/nyc-government-vouchers-lawsuit.html.

Szto, Mary. "Real Estate Agents as Agents of Social Change: Redlining, Reverse Redlining, and Greenlining" 12, no. 1 (2013): 60.

TakeRoot Justice, VOCAL-NY. "Vouchers To Nowhere: How Source of Income Discrimination Happens and the Policies That Can Fix It." Participatory Action Research Report, September 14, 2020. https://takerootjustice.org/resources/vouchers-to-nowhere/.

Tighe, J. Rosie, Megan E. Hatch, and Joseph Mead. "Source of Income Discrimination and Fair Housing Policy." Journal of Planning Literature 32, no. 1 (February 1, 2017): 3–15. https://doi.org/10.1177/0885412216670603.

Vann, Barron, Eugene, Addabbo Jr., Fidler, Recchia Jr., Baez, Rivera, Nelson, White Jr.,. Local Law 10 of 2008: Lawful Source of Income (2008). https://www1.nyc.gov/site/fairhousing/renters/lawful-source-of-income.page.

Vesoulis, Abby. "How Landlords Discriminate Against Housing Voucher Holders | Time." TIME, February 20, 2020. https://time.com/5783945/housing-vouchers-discrimination/.

VOCAL-NY. "Homeless New Yorkers Win Historic Passage of Intro 146; Fight Continues to Make CityFHEPS Stronger," May 27, 2021. https://www.VOCAL-NY.org/press-statements/homeless-new-yorkers-win-historic-passage-of-intro-146-fight-continues-to-make-cityfheps-stronger.

Voucher holders. Series of interviews conducted by Unlock NYC with voucher holders on the theme: "What would justice look like?," July 2019.

Waletzko, Craig. "Opening Acts: June 22, 2021 - Fair Housing Justice Center." Accessed December 10, 2021. https://www.fairhousingjustice.org/newsletters/opening-acts-june-22-2021/.

Win. "Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor," May 2021. https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final-5.pdf.

Wykstra, Stephanie. "Vouchers Can Help the Poor Find Homes. But Landlords Often Won't Accept Them." Vox, December 10, 2019. https://www.vox.com/future-perfect/2019/12/10/21001692/housing-vouchers-discrimination-racism-landlords.

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