

Briefing & Possible Action on Source of Income Discrimination

**Planning and Land Development
Committee**

**Agenda Item #5
February 8, 2021**



**CITY OF SAN ANTONIO
NEIGHBORHOOD & HOUSING
SERVICES DEPARTMENT**

Verónica R. Soto, FAICP, Director

Source of Income Discrimination (SOID)

What is source of income discrimination (SOID) ?

Refusing to rent or sell a housing unit to an applicant- or ending a tenancy- based on the applicant's lawful form of income such as voucher.

SOID is not:

Denying an application based on the applicant's inability to pay the advertised rent.



Background



SOID in the United States

- Federal programs such as LIHTC, HOME, and CDBG do prohibit SOID in participating properties
- 17 states & DC have state-wide statutes
- A National study that included Dallas- Fort Worth found voucher acceptance increases in areas with ordinances

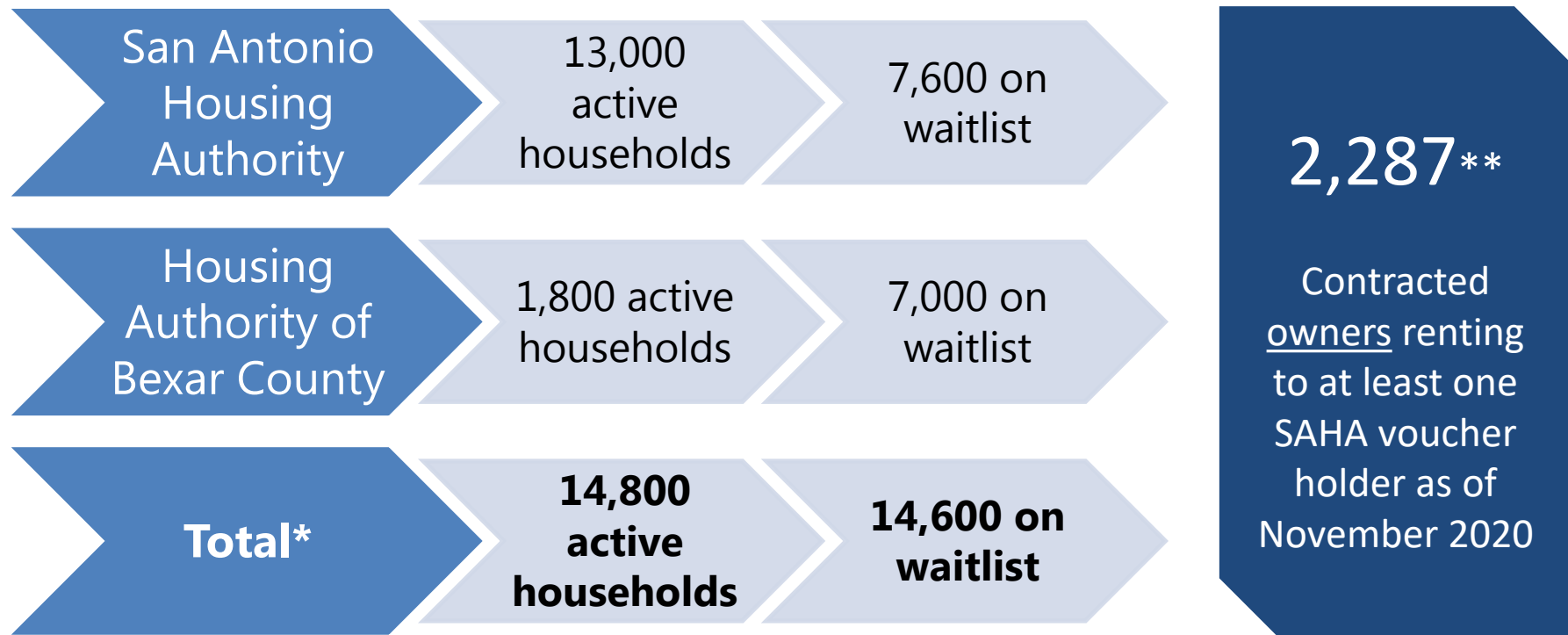


SOID

Austin	Dallas
<ul style="list-style-type: none">• City-wide SOID ordinance adopted in 2014• Struck down by state in 2015• Cities now pre-empted from adopting similar ordinances	<ul style="list-style-type: none">• Ordinance adopted in 2016• Applies to city-supported properties & veterans



Housing Choice Vouchers in San Antonio



*Does not include smaller voucher pools administered by the VA within & beyond Bexar County

**Does not include the total number of units available

Prohibiting SOID in City-Supported Properties

Action	Applicability
<ul style="list-style-type: none">• New Ordinance prohibiting source of income in city-supported properties• Include language in award contracts prohibiting SOID	<ul style="list-style-type: none">• Rental developments receiving support from COSA, including but not limited to:<ul style="list-style-type: none">• Tax Increment Reinvestment Zone (TIRZ)• Neighborhood Improvement Bond (NIB) awards,• City Center Development & Operations (CCDO) fee waivers, loans, tax abatements and;• Neighborhood and Housing Services Department (NHSD) grant awards• Would only apply to awards issued post-ordinance



Ordinance Considerations

Consistency

Applicable to funding awards of all sizes going forward

Right-Sizing Compliance

Compliance period to match funding source compliance period

Alignment

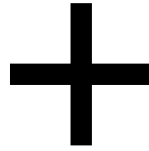
Aligns with actions being taken by the San Antonio Housing Trust



Enforcement Mechanisms

Complaints

Received from residents through 311, Office of Equity, or Fair Housing Team



Proactive Testing

Contracted agency could conduct testing of subject properties, not less than annually

Consequences

Progressive discipline to include warnings, mandatory compliance training, and fines up to and including recovery of awards and debarring



Feedback

- Increase availability of units for those who need them
- Broader voucher acceptance means more equitable housing outcomes
- Perceived vs actual problem in the community
- Vouchers need improvement, burdensome to accept
- "Discrimination" may not accurately address issue
- This ordinance should be a starting point



Next Steps



Develop Ordinance for City- Supported Properties for Council consideration



City Council in February or March



Public Engagement Campaign

- Ensure landlords/management companies are aware of requirements and enforcement
- Ensure renters know their rights & how to report violations



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