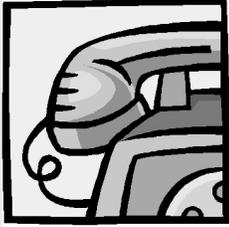
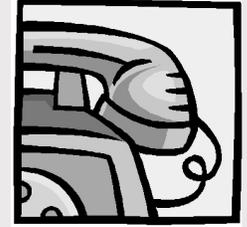


November 2019



# housing hotline



Norwalk Housing Authority  
Newsletter

## Source of Income Protections for Section 8 Tenants

On October 8, 2019, Governor Gavin Newsom signed Assembly Bill 329, which prohibits housing providers from discriminating against tenants based on Section 8 voucher participation. The State of California now classifies the Section 8 voucher as a “source of income” under the California Fair Employment and Housing Act, which prohibits housing discrimination based on specified personal characteristics, including source of income.

Effective January 1, 2020, a housing provider cannot do any of the following based on the fact that the tenant is using a voucher:

- Refuse to enter into a tenancy,
- Falsely represent that a unit is not available for inspection or rent,
- Include different clauses, conditions, or restrictions in the rental agreement, or
- Terminate or interrupt a tenancy.

In many instances, voucher holders are turned away at the door and not given an application for tenancy. The new law “provides a participant in the housing program an opportunity to receive a thorough and fair vetting when they seek housing.” Therefore, properties can not preemptively discourage voucher holders from applying for a vacancy by stating “No Section 8” or other source of income-based preferences in their advertisements.

The Housing Authority performs program eligibility screening, but does not screen tenants for suitability for tenancy. The housing provider is responsible for screening prospective tenants and may consider the tenant’s credit history/score, payment history, caring for previous rental units, and the like.

Under the new law, the screening criteria applied to a voucher holder must be the same criteria applied to other applicants for tenancy. However, any income standard applied by the housing provider must be based on the portion of the rent,

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### City Council

Margarita Rios, Mayor  
Luigi Vernola, Vice Mayor  
Tony Ayala, Councilmember  
Jennifer Perez, Councilmember  
Leonard Shryock, Councilmember

### Housing Authority Commission

Margarita Rios, Chair  
Luigi Vernola, Vice Chair  
Tony Ayala, Commissioner  
LaTosha Davis, Commissioner  
Gardenia De La Garza, Commissioner  
Jennifer Perez, Commissioner  
Leonard Shryock, Commissioner  
Luigi Vernola, Commissioner

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## Source of Income Protections *(Continued from page one)*

which would be paid by the Section 8 tenant, rather than on the contract rent. In other words, if the rental housing provider uses a three to one (3:1) income to rent ratio, the housing provider must base that ratio on the tenant portion of the rent. For example, if the contract rent is \$2,000 and the tenant is responsible for a \$500 tenant rent, then the housing provider can only require the tenant to show \$1,500 in monthly income, rather than \$6,000 of monthly income. This is just an example, and a rental housing provider can establish their own standards as long as the standards are applied equally to all applicants.

Treating all tenants fairly regardless of voucher program participation is the key. The Housing Authority will be providing housing provider training concerning the voucher program in early 2020. Stay tuned for announcements about upcoming workshop dates.

### Do

-  Accept applications from voucher holders
-  Screen all applicants
-  Consider only the tenant's portion when determining income to rent ratios
-  Reach out to the Housing Authority for questions and assistance
-  Attend one of the Housing Authority's upcoming housing provider briefings for more information about the voucher program

### Don't

-  Advertise or say "no Section 8"
-  Refuse to show a unit to a voucher holder
-  Apply different screening criteria to voucher holders
-  Include different language in your rental agreement with a voucher holder
-  Terminate tenancy based on Section 8 participation

## Office Closure

The Housing Authority office will be partially closed from November 5 through November 7 to attend a software update and training. During that time, you may reach someone by calling the Housing and Neighborhood Development Division at 562-929-5951 or you can leave a message for a staff person. Please note, it may take longer than usual to receive a call back.