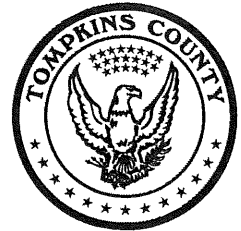




# TOMPKINS COUNTY Office of Human Rights

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## Memorandum

**To:** Anna Kelles, Chair  
Health and Human Services Subcommittee  
**From:** Karen Baer, Director of Human Rights  
Xavier Rusk, Paralegal Aide  
**Date:** 21 June 2017  
**Re:** Information as Requested

Anna, please feel free to share with your Committee.

**Subject Matter Jurisdiction:** Housing  
**Basis:** Source of Income Discrimination

No.	Allegations of Source of Income Discrimination
28	Unequal Terms and Conditions of Tenancy
24	Refusals to Negotiate for Rental
60+	Exclusionary Advertisements
<b>112</b>	<b>Total</b>

In 2016, OHR received fifty-two (52) complaints from forty-seven (47) individuals alleging housing discrimination based on source of income. During a brief intake process, information was collected for the purpose of making referrals to either the New York State Division of Homes and Community Renewal (DHCR), the federal Department of Housing and Urban Development (HUD), or the New York State Attorney General (NYAG)—all agencies with very limited jurisdiction over source of income complaints. For example, housing providers who are recipients of a Low-Income Housing Tax Credits (LIHTCs), United States Department of Agriculture (USDA) grants, or other state and federal assistance may be precluded from discriminating against persons who need housing subsidies to afford housing. In addition, some federal courts (9<sup>th</sup> Circuit) have made persuasive arguments that source of income discrimination is a form of sex discrimination (See *HUD v. Ross*).

Since June 2017, there has been a decrease source of income intakes, possibly due to OHR’s education and outreach efforts related to Tompkins County’s lack of source of income protections for County residents. In this calendar year, OHR has received nine (9) individual complaints of source of income discrimination, which include two (2) allegations of unequal terms and conditions and seven (7) refusals to renew leases. KB