

# 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

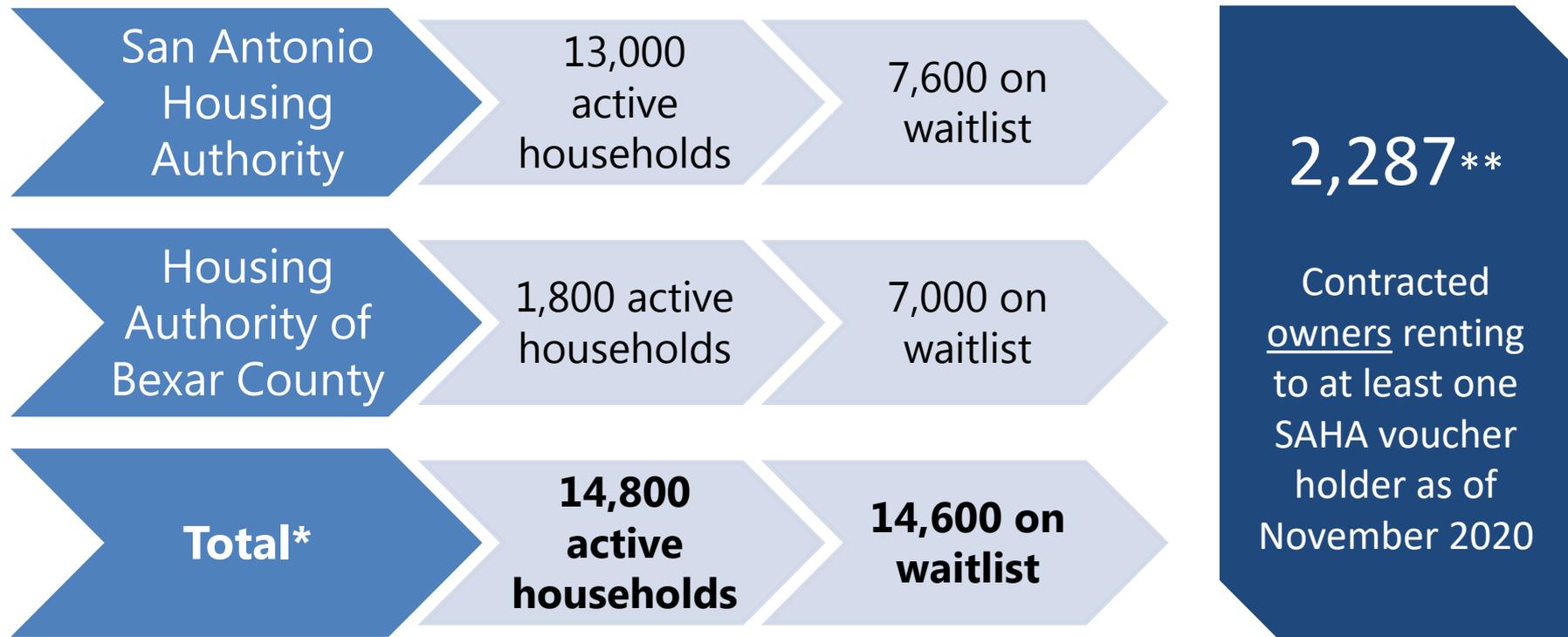
- 1) Poverty & Race Research Action Council, November 2020
- 2) Center on Budget & Policy Priorities, September 2018



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



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



# Ordinance Considerations

## Consistency

Applicable to funding awards of all sizes going forward

## Right-Sizing Compliance

Compliance period to match funding source compliance period

## Alignment

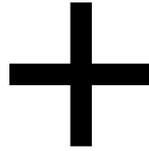
Aligns with actions being taken by the San Antonio Housing Trust



# 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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