

ABOUT THE COALITION

The Illinois Coalition for Fair Housing is a growing group of impacted community members and advocates committed to making housing access in Illinois equitable and just.

Organizational members include:

Access Living - Disability Rights Action Coalition for Housing
Chicago Area Fair Housing Alliance: Tenant Leader Board
Chicago Coalition for the Homeless
Chicago Lawyers' Committee for Civil Rights Under Law
HOPE Fair Housing Center
Housing Action Illinois
Housing Choice Partners
Illinois Religious Action Center of Reform Judaism
Lawyers' Committee for Better Housing
Northside Community Resources
Shriver Center on Poverty Law
South Suburban Housing Center
Working Family Solidarity

FIND OUT MORE

Before the 2022 Source of Income amendments to the Illinois Human Rights Act, many state residents could be legally denied housing or threatened with eviction simply because a housing provider refused to accept their form of payment. The Illinois Coalition for Fair Housing was formed during the COVID-19 pandemic as housing instability rose. With the leadership of people directly impacted by Source of Income discrimination, the Coalition worked to re-energize a decades-long campaign and passed a bill protecting Illinois residents from Source of Income discrimination in housing. There are still ways to participate in housing justice. Contact your local organization in the resources section to get involved.

**Advocate for your
fair housing rights.**



**A toolkit to protect Illinois residents
against "source of income" discrimination.**

YOU HAVE RIGHTS

The purpose of this guide is to help Illinois residents understand their fair housing rights and ways to self-advocate when facing discrimination based on any of the following protected classes:

- Race
- Color
- Religion
- Sex
- National Origin
- Disability
- Familial Status
- Pregnancy
- Sexual Orientation
- Gender Identity
- Ancestry
- Age (if over 40)
- Order of Protection Status
- Marital Status
- Military Status
- Military Discharge Status
- Arrest Record
- Source of Income

FOCUS: SOURCE OF INCOME

The Illinois Coalition for Fair Housing has created this resource for educational purposes. The focus of this guide is on “Source of Income” protections. For specific legal matters and legal advice, please contact an attorney. This guide is organized around the following sections:

CONTENTS

1. What is Source of Income?
2. Source of Income Discrimination
3. Gathering important information to report discrimination
4. Sample letters to advocate for yourself
5. Where to report Source of Income discrimination

WHAT IS SOURCE OF INCOME?

As of January 1, 2023, Illinois has added new protections to the Illinois Human Rights Act that prohibit discrimination based on Source of Income (SOI). “Source of Income” is broadly defined as the “lawful manner by which an individual supports himself or herself and his or her dependents.”

Housing providers may continue to use business criteria to screen tenants, but can no longer turn renters away because they do not want to accept their legal form of payment.

PROTECTED SOURCES OF INCOME:

- Housing Choice Vouchers (formerly known as “Section 8”)
- Social Security Disability Insurance (SSDI)
- Temporary Assistance to Needy Families (TANF)
- Supplemental Security Income (SSI)
- Homelessness prevention programs
- Emergency rental assistance
- Wages from employment
- Child support or alimony
- Veterans benefits or retirement income, **and more.**

NOTE

This state law exists in addition to local protections. For instance, the Chicago Fair Housing Ordinance gave Chicago residents Source of Income protections before the state law passed. Reach out your local fair housing organization to learn about additional protections or filing options relevant to you.

SOI DISCRIMINATION

Source of Income discrimination is often directed at those whose lawful income comes from sources other than a paycheck from a salaried or hourly job. Anyone engaged in the sale or rental of housing can be accountable for discrimination - including owners, management companies, brokers, realtors, boards or associations, and their representatives.

EXAMPLES OF SOI DISCRIMINATION

- A landlord rejecting Social Security Income because they “want someone who works”
- A landlord turning down a Housing Choice Voucher because of the inspection process
- An ad saying “Must have proof of employment” or “No Section 8”
- A landlord charging different rent or deposit amounts for renters with housing subsidies or vouchers
- A landlord saying an applicant doesn’t have enough income, even though they have a Housing Choice Voucher
- A landlord not processing an application after learning about an applicant’s voucher
- A landlord denying a Rapid Rehousing application because the subsidy is not long-term
- A landlord denying an application because the applicant’s job is viewed as contract or “gig” work.
- An online application without space to add a voucher amount

INFORMATION TO COLLECT

If you feel you are facing illegal discrimination, collect and save all documents related to your interaction in a safe place. This includes:

- Copies or pictures of your application
- Information you received about your denial
TIP: If you were denied verbally, document what the housing provider or landlord said with a follow up message or email
- Email, mail, and text correspondence
- Relevant dates and times of conversations
- Copies or pictures of landlord policies
- Pictures of discriminatory advertisements

NOTE

Consider consulting with a local organization if you experience any of the following:

- Continued discrimination
- Fear that self-advocating would put your safety at risk or cause retaliation from a housing provider
- Multiple forms of discrimination. For instance, a housing provider has denied you housing because you have young children and because of your Source of Income.
- A notice of eviction or other time-sensitive notification that puts your housing at risk.

Local organizations may be able to provide you with more information about your options, additional support, and referrals. (See pages 11 and 12 for a list of organizations.)

SELF ADVOCACY LETTERS

If you believe you are being discriminated against due to your Source of Income (SOI) and you would still like to be considered for the housing, you can write a letter advocating for yourself to the housing provider. For the letter, you should know the following:

- CONTACT INFORMATION of property manager/owner
- ADDRESS of the property in question
- brief description of the DISCRIMINATORY ACTION that took place, for example:
 - Denial or rejection of an application based on Source of Income or other protected class,
 - Misrepresenting the availability of a unit,
 - Discriminatory or discouraging statements based on SOI or other protected class,
- the NAME(S) of the people who discriminated against you
- your DESIRED OUTCOME. For example:
 - Reconsider your application,
 - Refund of any application fees paid,
 - Make the unit available to you,
 - Make a similar unit available to you at the same rate

NOTE

The next page contains a general sample letter that you can customize based on the discrimination you experienced. It is recommended that you give the housing provider about one week to respond.

For a fillable version of these letters, visit:
<https://www.housingchoicepartners.org/soi-campaign>.

GENERAL SAMPLE LETTER

October 1, 2023

Mr. Smith, Property Manager
321 Apartments
5555 Everlane Dr., Lovelytown, Illinois 00000

Re: Source of Income Discrimination – Lin Jones

Dear Mr. Smith:

I am contacting you because I believe you have illegally discriminated against me based on my Source of Income. I **completed and submitted an application** for 321 Apartments, **5555 Everlane Dr., Lovelytown, Illinois 00000** on **September 12, 2023**. **Two days later, Ms. Brown** at the management office **called me** and said that **321 Apartments does not “rent to Housing Choice Voucher holders.”**

The Illinois Human Rights Act (IHRA) prohibits discrimination in housing based on Source of Income, or the lawful manner by which an individual supports themselves or their dependents. See 775 ILCS 5/3-102. Housing providers who violate this act may be required to allow the tenant to occupy the unit and pay damages, fines, and attorneys’ fees, among other things.

My **Housing Choice Voucher** is a lawful manner by which I support myself and your **office’s denial of my application** due to my Source of Income violates the IHRA. I request that you **reconsider my application**.

Please contact me at **555-555-5555** by **October 8, 2023 (next week)** to discuss this further and arrange next steps.

Sincerely,
Lin Jones
ljones@myemailaddress.com

SELF ADVOCACY LETTERS

This next sample letter is a minimum income letter that can be used when a landlord or property manager requires that the tenant prove they have an income of multiple times the **full** rent in order to apply for a rental unit.

According to recent guidance published by the Cook County Commission on Human Rights and the Illinois Association of Realtors, when a minimum income policy of at least two to three times the rent exists, a landlord or property manager must include the **value of a Housing Choice Voucher or other subsidy** in any calculation of “income.”

For example, an applicant is looking to rent a \$1,500/month unit with a Housing Choice Voucher (HCV) that will cover \$1,000 of rent. The housing provider may require that the renter have an income of at least \$1,500 a month (renter’s portion of the cost (\$500) x 3). The housing provider **should not** require that the renter make three times the *total* rent for the unit (\$1,500 x 3 = \$4,500) because this does not include the portion paid by the voucher.

	Without Voucher or Subsidy	With Voucher or Subsidy
Rent Paid by Tenant	\$1,500	\$500
Minimum Income Required (3x rent)	\$4,500	\$1,500

MINIMUM INCOME SAMPLE LETTER - COOK COUNTY

October 1, 2023

Ms. Anderson, Property Manager
321 Condominiums
2222 Lake Dr., Lovelytown, Illinois 00000

Re: Source of Income Discrimination – Miranda Stone

Dear Ms. Anderson:

I am contacting you because I believe you have illegally discriminated against me based on my Source of Income. I called you **about a 2-bedroom unit at 321 Condominiums, 2222 Lake Dr., Lovelytown, Illinois 00000 on September 15, 2023**. In our conversation, I mentioned I had a full-time job, and that I am a participant in a program that would help cover half of my rent for the next 12 months. **You said that I would still have to show I have an income of three times the total rent.**

According to Cook County Commission on Human Rights guidance, to calculate the rent-to-income ratio of a prospective tenant using a voucher or subsidy, **a landlord should “only consider the portion of the rent that the applicant would be directly responsible for.”** In addition, the **Illinois Human Rights Act (IHRA) prohibits discrimination in housing based on Source of Income or the lawful manner by which an individual supports themselves or their dependents.** See 775 ILCS 5/3-102.

I request that you **retract your statement and contact me at 555-555-5555 by October 8, 2023** to arrange a **condo viewing**.

Sincerely,
Miranda Stone
mirandastone@myemailaddress.com

MINIMUM INCOME SAMPLE LETTER - OUTSIDE COOK COUNTY

October 1, 2023

Ms. Anderson, Property Manager
321 Condominiums
2222 Lake Dr., Lovelytown, Illinois 00000

Re: Source of Income Discrimination – Miranda Stone

Dear Ms. Anderson:

I am contacting you because I believe you have illegally discriminated against me based on my Source of Income. I called you **about a 2-bedroom unit at 321 Condominiums, 2222 Lake Dr., Lovelytown, Illinois 00000 on September 15, 2023**. In our conversation, I mentioned I had a full-time job, and that I am a participant in a program that would help cover half of my rent for the next 12 months. **You said that I would still have to show I have an income of three times the total rent.**

While you are not prohibited from having a minimum income policy, **you should only consider the portion of the rent that the tenant would be directly responsible for when calculating minimum income.**

For your reference, I have attached guidance memos on this topic that have been issued by the Cook County Commission on Human Rights and the Illinois Realtors Association. **The Illinois Human Rights Act (IHRA) prohibits discrimination in housing based on Source of Income. See 775 ILCS 5/3-102.** It is important to note that the Illinois Human Rights Act adopted its definition of Source of Income from the Cook County Human Rights Ordinance.

I request that you review the documents and **contact me at 555-555-5555 by October 8, 2023** to set up an appointment so I can view the unit.

Sincerely,
Miranda Stone
mirandastone@myemailaddress.com

WHERE TO REPORT DISCRIMINATION

If you need additional support or guidance on how to advocate for your fair housing rights, reach out to one of the organizations below for assistance.

CHICAGO

Access Living (for people with disabilities)
Phone: (312) 640-2106
Email: civilrightsintake@accessliving.org
Website: accessliving.org

Chicago Lawyers' Committee for Civil Rights
Connect to fair housing lawyers through CARPLS
Phone: (312) 738-9200
Website: carpls.org

Legal Aid Chicago
Phone: (312) 423-5909
Website: legallaidchicago.org

Northside Community Resources
Phone: (773) 338-7722 Ext. 16
Website: northsidecommunityresources.org

UIC Law Fair Housing Legal Clinic
Phone: (312) 786-2267
Email: law-fairhousingclinic@uic.edu
Website: law.uic.edu/fairhousing

WHERE TO REPORT DISCRIMINATION

OUTSIDE CHICAGO

HOPE Fair Housing Center (Western Suburbs, Central/Southern Illinois)

Phone: (630) 690-6500

Email: info@hopefair.org

Website: hopefair.org

Land of Lincoln Legal Aid (Central/Southern Illinois)

Phone: (877) 342-7891, Eviction Hotline: (855) 601-9474

Website: lincolnlegal.org

Metropolitan St. Louis Equal Housing & Opportunity Council (EHOC) (Metro East)

Phone: (314) 534-5800

Website: ehocstl.org

Open Communities (Northern Suburbs)

Phone: (847) 501-5760

Email: info@open-communities.org

Website: open-communities.org

Prairie State Legal Services Fair Housing Project (Northern/Southern/Western Suburbs)

Phone: (855) FHP-PSLS, (855) 347-7757

Email: fairhousing@pslegal.org

Website: pslegal.org

South Suburban Housing Center (Southern Suburbs)

Phone: (708) 957-4674 x.112

Website: southsuburbanhousingcenter.org

WHERE TO REPORT DISCRIMINATION

If attempts to advocate for yourself are unsuccessful and you continue to experience discrimination or face retaliation, you have the right to file a complaint with the Illinois Department of Human Rights (IDHR) or in a local administrative venue. You can also choose to file directly in court. Reach out to a legal organization in your area to discuss all your filing options.

If you choose to file a complaint with IDHR, the agency will conduct an investigation. In the event that IDHR makes a substantial evidence finding of discrimination, you can opt to have the case heard administratively before the Illinois Human Rights Commission or in circuit court, in which case the Illinois Attorney General's Office represents the Department.

CONTACT

Illinois Department of Human Rights (IDHR)

Phone: (312) 814-6200

Email: IDHR.FairHousing@illinois.gov

Website: dhr.illinois.gov

NOTE

You have one (1) year from the last act of discrimination to file with IDHR. Other administrative venues have different filing deadlines. Note that filing a charge will start a more formal process that may take some time to reach a resolution.

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