



**EQUAL HOUSING
OPPORTUNITY**

SOI Discrimination and Protections: What Arlington Tenants Need to Know

PREPARED BY: AHCVP STAFF

What is Source of Income Discrimination?

- Source of income discrimination, or SOI Discrimination, occurs whenever a landlord, property manager, or realtor refuses to rent to an applicant or treats an applicant or tenant differently (discriminates against an applicant or tenant) based on the source of their income
- SOI discrimination primarily impacts housing choice voucher recipients and other tenants who use government and non-profit subsidies to pay their rent
- SOI discrimination is illegal in the Commonwealth of Virginia as of July 1st, 2020, with a few caveats

What does SOI Discrimination look like?

SOI discrimination can include:

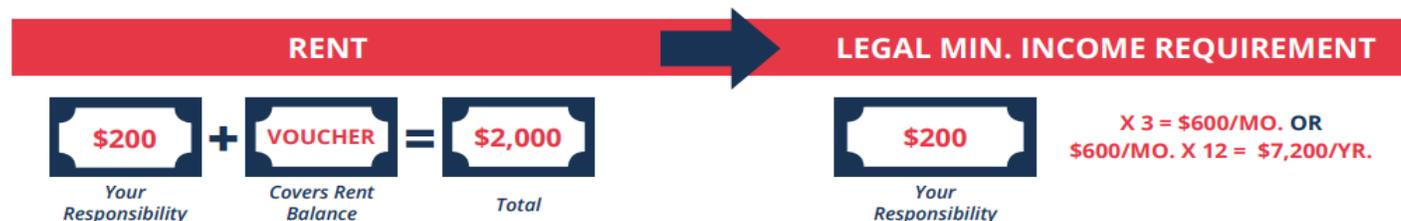
- Refusing or denying your rental application because you're a housing choice voucher recipient
- Changing advertised or agreed-upon rents or fees after learning you're a voucher recipient
- Claiming there is no longer unit availability after learning that you're a housing choice voucher recipient
- Adding conditions to your lease based on your status as a voucher recipient
- Segregating you and other subsidized tenants from the rest of the complex
- Denying you access to community facilities based on your status as a voucher recipient
- Making derogatory comments based on your status as a voucher recipient
- Treating you differently than any other tenant or applicant based on your status as a housing choice voucher recipient

SOI Protections in Virginia

- As of July 1st, 2020, it is illegal in the Commonwealth of Virginia for landlords, realtors, and property managers to engage in SOI discrimination
- Two major exceptions were included in the legislation:
 - Landlords that own four or fewer units (small, or “mom and pop” landlords) can still deny rental applications based on source of income
 - Landlords can deny a rental application if the funding provider (for example, the Arlington Housing Choice Voucher Program) fails to approve tenancy within 15 days of application submission
- Virginia’s SOI protections shield all legal sources of income from discrimination, including social security, pensions, disability and other welfare payments, and insurance payments, in addition to housing subsidies like housing choice vouchers

What do these protections mean for you?

- As a voucher recipient, you can apply for any unit that fits within the payment standard relevant to your household [contact your Housing Specialist for guidance on payment standards]
- Landlords who own more than 4 units and their property managers must accept housing choice vouchers, social security benefits, insurance payments, disability payments, and other housing and welfare subsidies
 - Landlords can still deny your application on the basis of criminal history, rental history, and asset or employment requirements, assuming they're applying these criteria to all applicants equally
- Landlords and property managers cannot treat you differently than any other tenant
- According to Virginia Real Estate Board Guidance Document 6978, you must take an applicant's subsidy into account when examining their finances – the subsidy cannot be treated as anything other than normal income:



What to Do if You Feel Discriminated Against

- If a landlord or property manager claims they don't accept vouchers or rejects your application based on your status as a voucher recipient, they could be breaking the law and you should contact your Housing Specialist
- If you feel discriminated against based on your source of income, sex, race, disability, or any other protected status, you should immediately contact your Housing Specialist for guidance
- Document any instances of discrimination by:
 - Actively taking notes
 - Asking follow up questions and ensuring landlords, leasing agents, and property managers are being direct and specific
 - And getting any decisions, especially denials of rental applications, on paper with justification
- You can also directly report landlords, realtors, and property managers for discrimination by contacting the Virginia Office of Fair Housing or the Arlington County Office of Human Rights (websites on the next slide)

Resources

- [DPOR : Fair Housing Office \(virginia.gov\)](https://www.virginia.gov)
- [Fair Housing - Arlington County \(arlingtonva.us\)](https://www.arlingtonva.us)
- [How Do I Apply? - Legal Services of Northern Virginia \(lsnv.org\)](https://www.isnv.org)
- [Human Rights Office and Complaint Information \(arlingtonva.us\)](https://www.arlingtonva.us)
- [soi-toolkit.pdf \(equalrightscenter.org\)](https://www.equalrightscenter.org)
- [Virginia's New Fair Housing Protections - Equal Rights Center](https://www.equalrightscenter.org)
- [Virginia Regulatory Town Hall View Guidance Document](https://www.virginia.gov)

Contacts

Arlington County Office of Human Rights

- [Tel: \(703\) 228-3929](tel:7032283929) | [Address: 2100 Clarendon Blvd, Suite 318, Arlington, VA 22201](http://arlingtonva.us) | [Web: Human Rights Office and Complaint Information \(arlingtonva.us\)](http://arlingtonva.us)

Arlington Housing Choice Voucher Program

- [Tel: \(703\) 228-1450](tel:7032281450) | [Email: HCV@arlingtonva.us](mailto:HCV@arlingtonva.us) | [Address: 2100 Washington Blvd, Arlington, VA 22204](http://arlingtonva.us)
[Web: Housing Choice Voucher Program \(formerly Section 8\) - Housing \(arlingtonva.us\)](http://arlingtonva.us)

Legal Services of Northern Virginia

- [Tel: \(866\) 534-5243](tel:8665345243) | [Email: help@lsnv.org](mailto:help@lsnv.org) | [Address: 3401 Columbia Pike, Suite 301, Arlington, VA 22204](http://lsnv.org) | [Web: Home - Legal Services of Northern Virginia \(lsnv.org\)](http://lsnv.org)

Virginia Fair Housing Office

- [Tel: \(804\) 367-8530](tel:8043678530) | [Email: FairHousing@dpor.virginia.gov](mailto:FairHousing@dpor.virginia.gov) | [Address: 9960 Mayland Drive, Suite 102, Richmond, VA 23233](http://dpor.virginia.gov) | [Web: DPOR : Fair Housing Office \(virginia.gov\)](http://dpor.virginia.gov)