

Source of Income Protections

Source of income, or source of funds, became a protected class in the Virginia Fair Housing Law on July 1, 2020. It is unlawful to discriminate against a renter or homebuyer because of any source that lawfully provides funds to or on behalf that person.

Renters and homeowner cannot be discriminated against simply because they have:

- Housing Choice Vouchers (Section 8)
- Social Security Disability Income (SSDI)
- Supplemental Security Income (SSI)
- U.S. Department of Housing and Urban Development-VA Supportive Housing (HUD-VASH)
- Emergency rental assistance from nonprofit entities
- And others

Examples of prohibited discrimination include:

- Housing providers stating “no section 8” in their rental listings.
- A landlord making demeaning comments about whether a tenant deserves their disability benefits.
- Refusing to rent to an otherwise well qualified tenant because of stereotypes about people who receive financial assistance.
- Requiring a tenant with a voucher to earn three times the full market rate rent rather than three times the amount the tenant must pay from their own funds (ie the difference between market rate rent and the amount of the voucher.)

Landlords and housing providers do not have to accept every applicant who will pay with a voucher or other lawful source of income. But **landlords must treat every applicant the same**, which includes looking at credit and rental history, sufficiency of funds, and adhering to a background check. **A landlord would not be able to simply deny someone because they will pay with a rent voucher or other lawful alternative incomes.**

There are a few exceptions! This anti-discrimination rule does not apply to:

- A landlord who owns 4 or fewer rental units.
- If the source of funds is not approved within 15 days of the tenancy approval request.

If you experience housing discrimination, there are people who can help. The raise a housing discrimination complaint, fill out the form at <https://homeofva.org/fair-housing-complaint-form/>.