

OFFERED BY COUNCILORS HENRY SANTANA, BENJAMIN WEBER,  
RUTHZEE LOUIJEUNE, COLETTA, DURKAN, FERNANDES ANDERSON,  
FITZGERALD, FLYNN, MURPHY, PEPÉN, AND WORRELL



## CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY FOUR

ORDER FOR A HEARING TO EXPLORE PROGRAMS  
THE CITY OF BOSTON OFFERS OR COULD ESTABLISH  
TO PREVENT ILLEGAL DISCRIMINATION BY LANDLORDS AND  
REAL ESTATE BROKERS AGAINST PROSPECTIVE TENANTS  
UTILIZING HOUSING CHOICE VOUCHERS

**WHEREAS,** As of November 2023, more than 90,000 households in Massachusetts benefit from the federal Housing Choice Voucher Program, a successor to the Section 8 Rental Voucher or Rental Certificate Program, the majority being seniors, children, or people with disabilities. This program allows residents to rent an apartment or house in the private market anywhere in Boston or other communities in the United States and its territories. Residents pay 30 percent to 40 percent of their income toward rent, and the Department of Housing and Urban Development (HUD) pays the remainder directly to the landlord, **and**

**WHEREAS,** The Commonwealth of Massachusetts offers the largest state-funded rental-assistance program in the country, called the Massachusetts Rental Voucher Program, which as of December 2022 assists approximately 10,000 households across the Commonwealth, working in conjunction with the federal Housing Choice Voucher Program, **and**

**WHEREAS,** The Commonwealth of Massachusetts also offers the Alternative Housing Voucher Program, which assists people with disabilities under the age of 60 in conjunction with the federal Housing Choice Voucher Program and Massachusetts Rental Voucher Program, including 475 people across the Commonwealth as of January 2019, **and**

**WHEREAS,** Rental assistance has been proven to be one of the most effective ways to serve vulnerable households to prevent homelessness. In a twelve-city “Family Options Study” conducted by HUD over the course of 37 months comparing outcomes for different interventions for families experiencing homelessness, Housing Choice Vouchers were found to be the most effective assistance program for families living in shelters. Only 22 percent of voucher recipients in the study experienced another episode of homelessness or of living doubled up with others over the next 18 months, by comparison to 50 percent of families who only received continued shelter (the control group), 47 percent of families who received rapid rehousing, and 42 percent of families who received transitional housing, **and**

**WHEREAS,** Evidence-based studies additionally demonstrate that rental assistance programs provide positive impacts on overcrowding and food insecurity, homelessness, health, transportation, and education. A 2018 report by the Urban Institute based on data from the Joint Centers for Housing Studies of Harvard University and US Bureau of Labor Statistics noted severely cost-burdened households paying more than 50 percent of their income on rent spend approximately 40 percent less on food, 65 percent less on transportation, and 70 percent less on healthcare than their peers who are not severely housing cost-burdened. Rental vouchers

reduce these cost burdens, allowing families to invest more in their children by buying books and educational materials, and households to spend more money on essential goods and services for their health and wellbeing, **and**

**WHEREAS,** It is illegal in the Commonwealth of Massachusetts for housing providers to discriminate against anyone utilizing a Housing Choice Voucher, as per MA G. L. c. 151B, § 4(10):

[f]or any person furnishing . . . rental accommodations to discriminate against any individual who is a recipient of federal, state, or local public assistance . . . or who is a tenant receiving federal, state, or local housing subsidies, including rental assistance or rental supplements, because the individual is such a recipient, or because of any requirement of such public assistance, rental assistance, or housing subsidy program, **and**

**WHEREAS,** Boston municipal code c. X, § 10-3.1 further prohibits this discrimination:

It is the policy of the City of Boston to see that each individual, regardless of his/her . . . source of income shall have equal access to housing and to encourage and bring about mutual understanding and respect among all individuals in the City by the elimination of prejudice, intolerance, bigotry and discrimination in the area of housing, **and**

**WHEREAS,** Despite discrimination against Housing Choice Vouchers holders being illegal in Massachusetts, and additionally prohibited explicitly by the city of Boston, current and long standing concerns have been raised by voucher holders, the Boston Housing Authority, Housing Rights Initiative, and other organizations that discrimination against voucher holders is occurring in the city of Boston, and that voucher holders are struggling to find homes to rent with a voucher, **and**

**WHEREAS,** Suffolk University Law School conducted a housing discrimination testing study in 2020, which found evidence of voucher-based discrimination in 86 percent of tests with housing providers in Greater Boston, **and**

**WHEREAS,** Housing Choice Voucher programs are intended to provide renters with the opportunity to choose the neighborhood they live in, including affluent or mixed-income neighborhoods that many low-income people would otherwise be unable to afford, yet discrimination against voucher holders limits the options available. A 2016 study of Boston Housing Authority data found that 76 percent of Boston-area voucher recipients lived in lower-opportunity neighborhoods. **NOW, THEREFORE BE IT**

**ORDERED:** That the appropriate committee of the Boston City Council holds a hearing to explore programs the City of Boston offers or could establish to prevent illegal discrimination by landlords and real estate brokers against prospective tenants utilizing Housing Choice Vouchers in the city of Boston. Representatives from the appropriate departments of the administration will be invited, and members of the public are encouraged to attend.

**Filed in Council:** February 22, 2024