

TESTIMONY OF MEAGAN SWAY, ESQ.

**Ought To Pass**

**LD 1710 – An Act to Establish the Maine Rental Assistance and Guarantee Program and Amend the Laws Regarding Tenants and the Municipal General Assistance Program**

Joint Standing Committee on Housing

May 12, 2023

Senator Pierce, Representative Gere, and distinguished members of the Joint Standing Committee on Housing, greetings. My name is Meagan Sway, and I am Policy Director for the American Civil Liberties Union of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, I am here in support of LD 1710, and in particular, section 3 of the bill, which would prohibit discrimination against renters based on their source of income.

As of 2019, housing assistance has helped lift about 3 million people out of poverty nationwide.<sup>1</sup> When people experiencing poverty receive housing subsidies, it expands the quality of housing options and increases access to more resourced communities.

The Housing Choice Voucher program, the largest federal housing assistance program, expands access to affordable housing to more than 5 million people in 2.3 million households. The program is federally funded but managed by a network of state and local housing agencies – with more than two-thirds of families participating in the nationwide voucher program identifying a person of color as head of household.<sup>2</sup>

Housing vouchers can only be effective and provide rental assistance to more families if landlords and private rental agencies accept income subsidies and agree to rent to voucher holders. Currently, federal and most state laws do not protect

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<sup>1</sup> <https://www.cbpp.org/blog/programs-targeted-for-cuts-keep-millions-from-poverty-new-census-data-show>

<sup>2</sup> <https://www.cbpp.org/research/housing/more-housing-vouchers-most-important-step-to-help-more-people-afford-stable-homes>

voucher holders from rejection based on the source of income discrimination. As a result, non-discrimination laws only protect 1 in 3 households that receive vouchers.<sup>3</sup> Because Maine does not protect from this kind of discrimination, landlords can refuse to rent to applicants based on the would-be renter's source of income, whether that is a housing voucher, Social Security Disability, child support, or other public or adjudicated sources of income.

This is an issue for low-income people in Maine generally, but particularly for Mainers of color because housing and lending practices have historically barred people of color, particularly Black people, from homeownership and growing intergenerational wealth. As a result of a combination of factors, Black households are much more likely than white households to be renters with incomes at or below the poverty level. While the Fair Housing Act protects against more overt discrimination, credit scoring systems, source of income discrimination, and lending practices continue to be barriers to Black people and other people of color achieving housing security.

In our continuing affordable housing crisis, Maine should avail itself of every tool it has to ensure that those who need housing can get it. Data from other states show that implementing a prohibition on source of income discrimination would likely lead to higher acceptance of voucher holders as renters and a higher usage of the vouchers themselves.<sup>4</sup> Ending discrimination based on a renter's source of income is a tool Maine should not leave in the box.

We urge you to vote ought to pass. Thank you for your time.

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<sup>3</sup> <https://endhomelessness.org/legislation/source-of-income-discrimination/>

<sup>4</sup> [https://www.cbpp.org/research/housing/prohibiting-discrimination-against-renters-using-housing-vouchers-improves-results#\\_ftnref17](https://www.cbpp.org/research/housing/prohibiting-discrimination-against-renters-using-housing-vouchers-improves-results#_ftnref17)