

Discrimination Against Voucher Holders and the Laws to Prevent It: Reviewing the Evidence on Source of Income Discrimination

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Abstract

Landlord discrimination against housing choice voucher holders, commonly referred to as source of income (SOI) discrimination, can undermine the benefits that vouchers offer low-income households—many of whom wait years for vouchers. Evidence of SOI discrimination grew during the past 2 decades, as the number of states and localities that passed ordinances to prevent discrimination also grew. More than one-half of all voucher households are in jurisdictions that these laws cover. This article assesses the current evidence on SOI discrimination and the effectiveness of state and local antidiscrimination laws intended to improve landlord takeup of vouchers. The authors then provide recommendations for research to document and describe voucher discrimination, understand effective enforcement of SOI protections, and identify ways to influence landlord decisions. Future research should continue to document the extent of voucher discrimination in jurisdictions without SOI laws, and evolving discriminatory practices where SOI protections are in place. To test and scale innovative enforcement and approaches to influencing landlord behavior, more research and experimentation reflecting different market contexts are also needed to understand why landlords reject vouchers.

Introduction

The Housing Choice Voucher (HCV) program is the nation's largest rental assistance program, serving about 2.3 million low-income households annually through more than 2,400 public housing authorities (PHAs). Voucher holders search for housing on the private market, and landlords play a pivotal role in the program's success. A persistent question of interest to researchers and policymakers is how voucher holders' experiences searching for housing—and especially their encounters with landlords—contribute to where they live, how long it takes for them to find housing, and their ability to sign leases with their vouchers. During the past 2 decades, evidence of landlord discrimination against voucher holders grew—as did the number of state and local laws intended to prevent discrimination. A body of work has also emerged examining the effect of source of income (SOI) antidiscrimination laws on voucher holders' housing search outcomes.

To identify priorities for future research, this article assesses the research related to landlord discrimination against HCV holders and the effectiveness of SOI laws.¹ The first section briefly describes some of the benefits and challenges of voucher use. The second section summarizes the evidence on landlord discrimination and the effectiveness of SOI laws. The article concludes with recommendations for future research on landlord discrimination and enforcement of existing laws, highlighting different research priorities for places with and without SOI protections in place.

The Benefits and Challenges of Voucher Use

A well-established body of evidence has emerged since the mid-1990s documenting the benefits of HCV use to low-income people. A full literature review is beyond the scope of this article, but the research finds that vouchers help low-income people improve their housing stability, including reduced risk of homelessness, lower rent burdens, less frequent moves, and less crowded housing (Ellen, 2020; Gubits et al., 2016; Mills et al., 2006).² Research on programs like the Moving to Opportunity experiment, which couple vouchers with supports to help families move from high-poverty areas to lower-poverty, opportunity-rich neighborhoods, have also found improved long-term health, educational, and economic outcomes for adults and young children (Chetty, Hendren, and Katz, 2016; Ellen, 2020).

However, the challenges that voucher holders face finding housing, particularly in lower-poverty, opportunity-rich neighborhoods, are also well documented. Relatively few families use their vouchers to rent units in low-poverty neighborhoods (Devine et al., 2003; McClure, Schwartz, and Taghavi, 2015; Pendall, 2000). Many voucher holders—often after spending years on PHA waiting lists—are unable to find housing with their vouchers (Acosta and Gartland, 2021; Ellen, O'Regan,

¹ This article builds on discussions from a February 2023 convening, Future Directions for Source of Income Discrimination Research, co-hosted by the NYU Furman Center, the Poverty & Race Research Action Council, and the Urban Institute. More than 50 housing researchers, policymakers, advocates, and practitioners gathered to assess the current body of evidence on SOI discrimination, identify knowledge gaps, and consider new research questions (Galvez et al., 2023; Teles et al., 2023).

² Ellen (2020) reviews much of the extant literature on the benefits of vouchers. See Gubits et al. (2016) for findings on voucher assistance and improvements for families experiencing homelessness in housing stability, health, family stability, food security, and educational stability.

and Stochak, 2024; Finkel and Buron, 2001). An early U.S. Department of Housing and Urban Development (HUD) study on voucher program success rates (calculated as the share of voucher recipients who successfully sign leases within the search times PHAs allow) found that about 69 percent of a sample of 2,600 voucher holders from 48 PHAs were able to use their vouchers in 2000 (Finkel and Buron, 2001). A more recent and comprehensive analysis of HUD administrative data found that success rates declined to about 60 percent by 2019, using data from 85,000 voucher holders at 433 PHAs (Ellen, O'Regan, and Stochak, 2024).

Understanding HCV Location Outcomes and Success Rates

Researchers have explored various explanations for low success rates and the consistent concentration of voucher households in higher-poverty areas (Ellen, 2020). For example, search times are longer and success rates are lower in tighter housing markets with lower vacancy rates (Ellen, O'Regan, and Stochak, 2024; Finkel and Buron, 2001). Research suggests that landlords in more desirable, higher-rent areas have more demand from unsubsidized tenants and that they avoid vouchers, whereas landlords with units in lower-rent areas and weaker housing markets may specialize in voucher holders and actively recruit voucher applicants (Besbris et al., 2022; Garboden et al., 2018; Rosen, 2020). By contrast, more precise, neighborhood-level approaches to setting local voucher payment standards (Small Area Fair Market Rents, or SAFMRs) can lead to more voucher households living in lower-poverty, higher-rent neighborhoods compared with having rent payments set at the metropolitan area level (Aliprantis, Martin, and Phillips, 2019; Collinson and Ganong, 2018; Dastrup, Finkel, and Ellen, 2019; Reina, Acolin, and Bostic, 2019).³

Qualitative research has focused on the housing search process, including the household preferences and constraints that may influence voucher holders' housing options and decisions. These studies conclude that voucher holders do not have strong preferences to remain in higher-poverty, low-opportunity areas with their vouchers but instead face a number of barriers to finding housing and moving to low-poverty areas (Bergman et al., 2023; DeLuca, 2014; Galvez, 2010; Graves, 2016). Voucher holders may have limited access to information about housing and neighborhood options, limited financial resources or transportation to support searches, and face time pressures when searching for housing with vouchers (DeLuca, Garboden, and Rosenblatt, 2013; Graves, 2016; Pendall et al., 2014). Voucher holders often balance multiple household needs and priorities when searching for housing in the context of long voucher waiting lists and short search windows. As a result, they may focus on unit characteristics over location and opt for readily available units instead of risking longer and possibly unsuccessful searches (DeLuca, Garboden, and Rosenblatt, 2013; Rosenblatt and DeLuca, 2012).

What Do We Know About Landlord Discrimination Against Voucher Holders?

In addition to market and household-level factors that can affect move outcomes, researchers and practitioners frequently note that many landlords simply refuse to rent to voucher applicants

³ In October 2023, HUD expanded the number of metropolitan areas required to adopt SAFMRs from 24 to 65, which will cover approximately 45 percent of all voucher holders nationally (Greene and McCabe, 2023).

(Graves, 2016). Voucher holders are not a protected class under the federal Fair Housing Act, and although the number of jurisdictions with SOI protections has expanded, landlords in most places can still legally refuse to accept vouchers. However, voucher holders tend to be disproportionately Black or Latino, and housing advocates, researchers, and practitioners often note that landlords who refuse to accept vouchers may use voucher status as a proxy for race or other characteristics that are protected from discrimination under the Fair Housing Act—such as disability or having children in the household. Voucher holders have reported both racial discrimination during their encounters with landlords and discrimination based on using vouchers (Galvez, 2010; Graves, 2016; Uprety and Scott, 2018).

A review of early research on voucher discrimination found 16 testing studies conducted between 2000 and 2017 that measured how commonly landlords refused vouchers (Cunningham et al., 2018). All found evidence that landlords routinely denied housing to voucher holders—even though most of the studies were conducted in areas with SOI protections. However, these studies spanned nearly 2 decades, tended to have small samples, and varied widely in their market contexts, rigor, methodology, and research goals.⁴ Only three of the studies used in-person paired testing—which is considered the most rigorous approach to measuring housing discrimination.⁵ In most cases, the early studies did not test representative samples of the voucher-affordable rental housing stock or strictly incorporate local voucher program requirements like PHA payment or occupancy standards to select units or assign background profiles to testers. As a result, this body of evidence left questions unanswered about the scale of discrimination, whether discrimination varied by neighborhood type, or whether existing studies had accurately targeted voucher-affordable units.

In 2018, the results of a HUD-sponsored study of voucher discrimination were released, providing more comprehensive evidence of landlord discrimination in five large metropolitan areas (Cunningham et al., 2018). The Civil Rights Act of 1968 identifies HUD as the lead agency responsible for studying and documenting housing discrimination, and since 1977, the agency has sponsored national or multisite studies rigorously measuring racial and ethnic discrimination—expanding in the 2010s to studies of discrimination against families with children, people with disabilities, same-sex couples, transgender individuals, and voucher holders (Turner and James, 2015).⁶

⁴ See chapter 2 of Cunningham et al. (2018) for a discussion of studies measuring SOI discrimination in Austin, Texas; Boston, Massachusetts; Chicago, Illinois; Cuyahoga County, Ohio; central Indiana; Montgomery County, Maryland; New Orleans, Louisiana; New York City; Newton, Massachusetts; Seattle, Washington; and Washington, D.C. between 2000 and 2017.

⁵ Paired or “audit” housing discrimination testing involves assigning two testers to interact with a housing provider, each with comparable identities and qualifications aside from the characteristic of interest for research—in this case, relying on a voucher to pay a portion of the rent. Each tester contacts a housing provider to ask about a housing unit and documents detailed information about their interactions with the landlord on topics including the availability of a unit, alternative units offered, cost, any financing options, requirements and characteristics of available units, and the application process. With an adequate sample size, it is possible to compare testers’ experiences with landlords and the information provided to identify differential treatment based on the key characteristics of interest (Oh and Yinger, 2015).

⁶ For more information about the evolution of housing discrimination research, see the *Cityscape* Housing Discrimination Today symposium articles and HUD’s Housing Discrimination Research online repository of housing discrimination studies (HUD, n.d., 2015).

Designed as a pilot to measure the extent and nature of discrimination and to explore different testing methodologies that HUD might employ in the future, the study conducted more than 4,000 phone and in-person tests with landlords in five metropolitan areas.⁷ Whereas only 15 percent of landlords in Washington, D.C. rejected vouchers, 78 percent of landlords in Fort Worth, Texas, did.⁸ In every city but Washington, D.C., discrimination was more common in low-poverty neighborhoods (for example, 85 percent of landlords in low-poverty Fort Worth neighborhoods and 82 percent in low-poverty Philadelphia, Pennsylvania, neighborhoods rejected vouchers). Landlords were more likely to accept vouchers in places with SOI protections in place (Washington, D.C.; Newark, New Jersey; and Philadelphia, Pennsylvania) compared with the markets without protections (Los Angeles, California; and Fort Worth, Texas)—although discrimination was still common. Landlord refusal, particularly in places without SOI laws, was explicit and came early in the search process when testers called landlords to ask about advertised units and whether vouchers were accepted. In other cases, landlords who said they accepted vouchers later “ghosted” voucher applicants at scheduled appointments to view units.

Other studies measuring voucher discrimination have followed, using large or multicity samples of rental advertisements scraped from online listing services for e-mail correspondence with landlords or analyzing the language in advertisements. These studies similarly found that landlords commonly denied voucher tenants outright or were less likely to respond to inquiries from voucher holders compared with nonvoucher holders (Aliprantis, Martin, and Phillips, 2019; Hangen and O’Brien, 2022; Moore, 2018; Phillips, 2017). Aliprantis, Martin, and Phillips (2019) found that landlords in higher-cost neighborhoods continued to reject vouchers even when higher payments were offered.⁹

Finally, a coalition of New York City advocates that helps voucher holders find housing analyzed information from landlord interactions with a combination of voucher holders actively searching for housing and with testers (Unlock NYC et al., 2022). They found that ghosting has become more common over time and that landlords applied minimum credit score or income requirements to exclude voucher holders and avoid compliance with New York’s SOI laws (Unlock NYC et al., 2022).

Landlord Perceptions of Voucher Holders and the Housing Choice Voucher Program

Some insights have emerged in recent years about how landlords perceive voucher holders and PHAs, and about landlords’ complex and varied motivations for accepting or refusing vouchers. Using data from interviews with 127 landlords in Baltimore, Maryland; Cleveland, Ohio; and

⁷ The study conducted an initial round of phone calls to landlords of voucher-affordable units to ask whether they would accept vouchers. Matched-pair phone tests and in-person tests were then conducted with landlords who stated they accepted vouchers to determine if landlords treated voucher holders differently from their nonvoucher-holder counterparts with similar household and background characteristics.

⁸ An additional 15 percent of landlords in Washington, D.C., and 10 percent in Philadelphia said that they were unsure of their voucher policy or would only accept vouchers under certain conditions—responses that may reflect indirect discrimination (Cunningham et al., 2018).

⁹ However, Aliprantis, Martin, and Phillips (2019) also found that neighborhood-level rent payments in Washington, D.C., did result in more voucher holders moving to lower-poverty, higher-rent areas in the year after the adoption of higher-rent payment standards.

Dallas, Texas—cities without SOI protections at the time—Garboden et al. (2018) described three sets of factors that motivated landlord decisionmaking: financial considerations, including how the voucher payment compares with what they might otherwise receive for units; personal biases toward, or past experiences with, voucher holders; and, particularly for landlords who refuse vouchers, previous negative experience with PHAs and the voucher administrative processes.¹⁰ In Baltimore, Rosen (2020) found that landlords targeted voucher holders for units that were more challenging to rent or in undesirable neighborhoods and that they avoided voucher holders for units and neighborhoods with more demand.

Concerns about administrative burdens for landlords, particularly the physical inspection required of all voucher-subsidized units to ensure they meet HUD's minimum housing quality standards, are common in the literature (Cunningham, 2018; Garboden et al., 2018; HUD, 2019; Zuberi, 2019). Landlords generally described inspections and experiences with PHAs as burdensome, slow, and unpredictable. They also expressed frustrations with a perceived lack of transparency regarding program rules and with PHAs not advocating for landlords when tenant conflicts happened. HUD and others have identified some examples of PHA efforts to improve voucher administration and relationships with landlords, but little is known about how widely PHAs are experimenting with these efforts or the effectiveness of specific reforms.¹¹

Although research is clear that racial discrimination in housing persists (Turner et al., 2013), the extant research has yet to disentangle the role of race in voucher discrimination fully. Garboden et al. (2018) found that landlords were racially diverse, and whereas some had negative stereotypes about voucher holders, others felt a kinship with their voucher tenants. In the Garboden et al. (2018) study, refusal to participate in the HCV program was more often attributed to specific past experiences than to assumptions about voucher tenants. Moore (2018) and Phillips' (2017) e-mail correspondence testing found no differences by voucher holders' race in the likelihood that landlords responded to e-mail inquiries about available housing. However, a few early studies from New Orleans, Chicago, and Cuyahoga County did find evidence that landlords were more likely to respond positively to White voucher holders than to Black voucher holders (Cunningham et al., 2018).

Overview of Source of Income Antidiscrimination Laws

A growing number of states and localities have passed ordinances—usually as part of broader fair housing laws—that bar landlords from turning away rental applicants based on SOI (Greene et al., 2020).¹² Where these protections are in place, landlords cannot reject voucher holder applicants solely based on their use of vouchers. However, they can continue to employ other

¹⁰ Maryland passed a law prohibiting SOI discrimination in 2020. See PRRAC (2023a) for details.

¹¹ See HUD (2019: 7) and Galvez and Oppenheimer (2020) for examples of potential voucher program administrative reforms and PHA efforts to engage landlords.

¹² State and local SOI ordinances typically protect renters from discrimination based on a range of income sources other than wages and salaries, such as alimony and disability insurance benefits. In some cases, these laws may explicitly exclude housing vouchers from the income sources that are protected from discrimination. In others, courts have ruled that vouchers do not meet the definition of income or are not covered because they are not explicitly specified (Greene et al., 2020). This article refers to SOI laws that include protections for voucher holders.

lawful screening criteria applied to other applicants, such as credit scores, rental history, or criminal background requirements.

The Commonwealth of Massachusetts adopted the first law prohibiting discrimination based on SOI in 1971 (Greene et al., 2020; Urban Institute, 2021). A handful of other states and localities also passed laws in the 1970s and 1980s, but the increased pace of implementation in recent years coincides with the growing evidence base and public awareness about SOI discrimination and landlord rejection of vouchers. Research showing discrimination, landlord behavior, or voucher holders' experiences searching for housing can, in some cases, inspire legal protections and enforcement activity. For example, the text of the city of Los Angeles' ordinance summarized findings from the 2018 HUD study showing high voucher denial rates (Cunningham et al., 2018).¹³ In Austin, Texas, an audit study of voucher-eligible units helped motivate a local SOI law, whereas in Portland, Oregon, investigative reporting on voucher location outcomes helped propel a state-level SOI law (Galvez et al., 2020).¹⁴

An analysis of all SOI laws effective as of September 2022 estimated that more than 57 percent of voucher households (1.3 million) are in the 16 states, the District of Columbia, 21 counties, and 85 local jurisdictions these ordinances cover (Knudsen, 2022). The share of voucher families that SOI laws cover has increased over time, from roughly 34 to more than 57 percent—largely because of the recent passing of seven new state laws between 2018 and 2022, including New York and California, which have the nation's largest voucher programs (Bell, Sard, and Koepnick, 2018; Greene et al., 2020; Knudsen, 2022).¹⁵ Voucher households in jurisdictions with SOI laws are more likely to be headed by a Hispanic or Latino person, less likely to be headed by a Black person, less likely to have children, and more likely to be headed by a person aged 62 or older than voucher households in locations without ordinances (Greene et al., 2020).

SOI laws vary widely in their features, with about 70 percent of laws explicitly protecting voucher holders instead of including broader protections (Greene et al., 2020). Greene et al. (2020) code laws according to certain enforcement mechanisms, such as civil damages, criminal penalties, or whether they incorporate incentives for landlords, and found that SOI laws have gotten “stronger” over time.¹⁶ For example, a case study of Oregon's 2013 SOI law found that lawmakers directly addressed local landlord concerns about the HCV program by including a damage mitigation fund and language requiring PHAs to conform to timely inspections and rental payments (Galvez et al., 2020). Incorporating these components was instrumental in gaining landlord support for the state-level SOI law. However, it is unclear how commonly lawmakers tailor state or local laws in response to landlord concerns.

¹³ Los Angeles Municipal Code. Protecting Affordable Housing Opportunities for Persons Using Rental Assistance or Other Sources of Income as Payment, Chapter IV, Section 1, Article 5.6.1. https://clkrep.lacity.org/online/docs/2018/18-0462_ord_draft_06-06-2019.pdf.

¹⁴ A subsequently passed state law preempted the SOI law passed in Austin (Galvez et al., 2020).

¹⁵ State laws were passed (or protections of voucher holders were added to existing laws) in California (2019), Colorado (2021), Illinois (2022), Maryland (2020), New York (2019), Rhode Island (2021), and Virginia (2020).

¹⁶ Greene et al. (2020) distinguish laws by their incorporation of “enforcement features” (language regarding who can bring complaints and types of available relief), “exception features” (language defining loopholes and specific exceptions), and “incentive features” (intended to encourage landlord participation in the voucher program).

How Effective Are Source of Income Laws?

As laws have become more common, questions persist as to their effect on voucher program outcomes. Overall, the extant research suggests that SOI laws result in modestly improved outcomes for voucher holders, measured by PHA-level voucher utilization rates, the characteristics of the neighborhoods where voucher holders live, and voucher program success rates. Some research suggests that improvements in neighborhood quality lag several years after laws are passed.

In two early studies using the same sample of jurisdictions, Freeman (2012) and Freeman and Li (2014) looked at the effects of the passage of SOI laws in 16 jurisdictions where 48 housing authorities operated. Using a difference-in-difference analysis, Freeman (2012) found that voucher utilization rates increased between 7 and 12 percentage points after the adoption of SOI laws compared with adjacent jurisdictions without SOI laws. However, voucher utilization rates are an agency-level performance measure, capturing the share of PHAs' total authorized housing assistance that households were using in a given month or year—and are not a direct measure of voucher holders' success finding housing. Freeman (2012) noted that housing authorities could potentially achieve higher utilization rates by carefully managing how they issue new vouchers, with consideration to typical turnover and success rates. Freeman and Li (2014) later looked at voucher holders' neighborhood locations as a more direct reflection of housing search outcomes and found that the adoption of SOI laws led to modest reductions in neighborhood poverty rates and in the share of neighborhood residents who are people of color relative to comparison PHAs in jurisdictions without SOI protections.

Ellen, O'Regan, and Harwood (2022) compared the origin and destination neighborhoods of existing voucher households that moved before and after the enactment of SOI protections. Applying difference-in-difference regressions to HUD administrative data, they found that voucher movers experienced more upwardly mobile moves (greater reductions in census tract poverty) after the adoption of SOI laws than movers in similar jurisdictions that did not adopt laws. These effects became statistically significant 3 years after the passage of the laws. As they noted, this approach allowed them to capture individual household gains from the laws by showing the locational effects for a fixed set of families. They also found that voucher holders who started in the highest poverty tracts experienced larger improvements in tract poverty rate after the SOI law enactment.

Teles and Su (2022) used a panel event study design and similarly found that shares of voucher-assisted households with children moving into low-poverty neighborhoods increased after the enactment of SOI laws. In their analysis, it took about 5 years for this effect to be statistically significant. The improvements were larger for Black families compared with White or Latino families. Teles and Su (2022) found no evidence that “stronger” laws using Greene et al.'s (2020) classification system were more effective than “weaker” laws at achieving better location outcomes. Teles and Su (2022) suggest that more attention should be paid to how SOI laws are implemented and enforced and how enforcement may change over time.

Finally, Ellen, O'Regan, and Stochak's (2024) descriptive work on success rates shows suggestive evidence that SOI laws are associated with higher success rates, particularly for Black and Latino voucher holders. Using HUD administrative data, they found that success rates were modestly

higher in states with SOI protections, with the benefits more pronounced for Black and Latino voucher holders.

Priorities for Future Research to Measure and Understand Voucher Discrimination

The existing evidence on the incidence and nature of SOI discrimination varies based on local context, particularly whether SOI protections are already in place. Voucher discrimination is common and explicit in jurisdictions without SOI laws and persists—if less overtly—where legal protections are in place. Where SOI protections exist, discriminatory tactics appear to be evolving, as previous research on other forms of housing discrimination predicts (Turner et al., 2013; Yinger and Oh, 2015). However, research has barely addressed how SOI discrimination is changing or whether SOI protections are less effective because landlords find ways to work around them (Stewart et al., 2023).

Evidence is also clear that in-person paired testing is a powerful tool to document nuanced discrimination measures in various contexts. However, this type of testing is expensive and methodologically challenging, and many jurisdictions lack the capacity to field large-scale efforts. As a result, in-person paired testing tends to be reserved for larger cities and includes small samples. However, e-mail correspondence studies or phone audits with landlords of voucher-affordable units can also be carefully executed along with larger samples of tests to capture straightforward measures of voucher acceptance that offer compelling evidence to inform policy and practice.

Future research needs also vary by local context. In jurisdictions without SOI protections, discrimination is likely more explicit, and research should prioritize testing that produces local or regional voucher denial rates using rigorous but relatively lighter-touch methods. Samples of rental advertisements for voucher-affordable units can be carefully selected for e-mail correspondence studies or “one-sided” phone studies that involve a single tester asking landlords if they accept vouchers. These studies can be designed to measure how responses or denials vary by neighborhood poverty rate, school quality, housing characteristics, voucher payment standards, or voucher holder characteristics. A national phone or correspondence study could test representative samples of voucher-affordable units in multiple housing markets that lack SOI protections to assess whether high denial rates like those found in Los Angeles or Fort Worth extend to other metropolitan areas.¹⁷ The results could help motivate new state and local SOI protections and programs that engage landlords or support voucher holders’ housing searches. In-person or paired testing for research purposes, alternatively, is likely best reserved for places with SOI protections already in place and more detailed information is needed for enforcement or to capture more nuanced forms or patterns of discrimination.

¹⁷ Cunningham et al. (2018) similarly recommended phone tests in a large sample of housing markets followed by in-person paired tests in a subset of places where discrimination appears to be more nuanced and would benefit from detailed measures of differential treatment.

Beyond testing, other approaches offer opportunities to gather timely information about the incidence of discrimination in a variety of contexts to inform both research and practice. For example, HUD, researchers, or individual PHAs can use HCV program administrative data to analyze voucher locations and housing search outcomes to identify entry points for research. Analysis of local location patterns (also discussed in the following section as useful for enforcement) can identify neighborhoods where voucher holders are underrepresented and testing or other research would be useful to understand landlords' behavior. HCV program success rates can similarly help identify jurisdictions to prioritize for testing and qualitative research with landlords and program participants to understand what drives voucher holders' housing search challenges. Success rates can also help identify jurisdictions where subgroups of voucher holders—Black or Latino households, families who have members with disabilities, or young children—have lower success rates or longer searches and may differentially experience discrimination.

Finally, more research is needed to understand how discrimination plays out among different types of landlords and in different market environments. For example, larger property owners or management companies may have more capacity to work with PHAs and navigate delays from inspection or other administrative processes. They may also have more capacity to steer voucher holders to certain properties or neighborhoods. Smaller “mom and pop” property holders may be unaware of antidiscrimination laws, unfamiliar with how vouchers work, and less able to meet housing quality standards or navigate PHA bureaucracies. Landlords in weaker markets or more distressed neighborhoods are likely more inclined to work with PHAs, whereas landlords in stronger markets or more expensive neighborhoods may need more incentives to consider voucher tenants. Interventions to mitigate discrimination in places with and without SOI laws—whether through landlord education or more effective enforcement—would benefit from a better understanding of how different landlords perceive and respond to vouchers in different market contexts and the interventions needed to maximize landlord participation. Collecting self-reported information directly from voucher holders about their exchanges with landlords, brokers, and property managers as they search for housing using phone app- or survey-based approaches should be tested as a way to capture detailed information about landlord discrimination in real time to inform programmatic responses or more rigorous testing.

What Do We Need to Know About Enforcing Source of Income Protections?

The evidence that SOI laws help improve voucher program outcomes—particularly locational outcomes and for Black and Latino voucher holders—is growing and increasingly compelling. However, positive effects emerge years after laws are passed, and the absence of meaningful enforcement in many jurisdictions may limit their effectiveness. Greene et al. (2020) noted that laws may be ineffective without meaningful enforcement. Ellen, O'Regan, and Stochak (2024) posited that SOI discrimination laws coupled with enforcement could help boost lease-up rates and reduce racial disparities in voucher program outcomes.

In practice, very little is known about enforcing SOI laws. Housing discrimination enforcement—including for source of income—is largely complaint driven, relying on individual reports of perceived discrimination to spur investigations and later litigation if evidence of discrimination is found. Identifying landlords violating the law is left to people navigating challenging housing

searches, often under intense pressure to find housing before their vouchers expire. Reporting perceived discrimination is unlikely to improve an individual voucher holder's immediate housing prospects, and ghosting or indirect discriminatory practices may leave some voucher holders unsure if what they experience is, in fact, SOI discrimination. No comprehensive data have been gathered on the frequency of voucher discrimination complaints across jurisdictions, enforcement actions, or documenting the scale of testing or other resources dedicated to SOI enforcement in a given jurisdiction.¹⁸

How state or local agencies may be experimenting with new enforcement approaches is also unclear. In-person paired testing in response to discrimination allegations has been a fair housing enforcement approach of choice since the 1950s (Yinger and Oh, 2015). However, housing searches, tenant application and selection processes, and data collection tools have all changed dramatically over time. E-mail correspondence testing, scraping and analyzing online advertisements for available housing, collecting data from voucher holders' real-time housing searches, or the creative use of local voucher program data could all help capture information about discriminatory patterns and practices. HUD administrative data combined with local property-level information might also be used to identify where voucher holders are underrepresented, given the availability of voucher-affordable rental housing, providing an entry point for audit testing. At least one jurisdiction—New York State—is actively adopting this approach.¹⁹

More research is needed to identify and rigorously test these types of enforcement innovations. Reliable data on enforcement activity—for example, through a survey or scan of state and local agencies and resources dedicated to enforcement in the 16 states and the District of Columbia with SOI laws in place as of 2023—could be a useful starting point. Data on enforcement practices could help refine analyses of the effectiveness of laws and highlight new research questions.

Finally, more research is needed to explore whether better education or messaging about the HCV program and SOI protections might improve landlord compliance with laws and increase voucher program participation. Garboden et al. (2018) found that landlords—even those actively renting to voucher holders—commonly misunderstood PHA practices, and it seems likely that some may also misunderstand their requirements under state or local laws. The Office of the New York State Attorney General reports similar insights from their work with landlords and is exploring ways to change discriminatory behavior by changing how it communicates with the public about vouchers, SOI laws, and enforcement (Meltzer, 2023). Improved messaging and education about public housing authority practices, HCV participants, the goals of the HCV program, and SOI laws could help both retain landlords already renting to voucher holders and attract new landlords who have not yet considered voucher applicants. A recent experiment in Pittsburgh, Pennsylvania, found that landlords who received information about the importance of housing stability and access to high-

¹⁸ One exception is the National Fair Housing Alliance's annual Fair Housing Trends report, which compiles data on discrimination complaints from federal agencies and a subset of nonprofit fair housing or legal aid organizations and includes some limited information about SOI complaints. The report documented 2,395 SOI complaints filed in 2022 (Augustine et al., 2023).

¹⁹ For more information, see Melzer (2023) and materials from the 9th National Conference on Housing Mobility (PRRAC, 2023b). The Office of the New York State Attorney General identified high-opportunity neighborhoods and used local property data to identify landlords in those neighborhoods. It then enlisted a partner to conduct targeted in-person paired testing of landlords in opportunity areas.

opportunity neighborhoods were significantly more likely to say they would accept vouchers than a control group that did not receive the “asset-based” messaging (Ortiz, Felon, and Yousef, 2024). More research is needed to test how different messaging and outreach approaches might affect voucher acceptance and voucher holders’ search outcomes.

Conclusion

Improving HCV program outcomes requires ongoing investment in research at the local and national levels to understand where, why, and how landlords refuse vouchers. These efforts are vital to refine the various carrots and sticks needed to minimize discrimination and increase landlord participation. Existing research suggests that SOI laws improve voucher holder outcomes and sheds light on how discrimination manifests in places with and without SOI protections. The research also highlights that landlord motivations for accepting or rejecting vouchers vary widely in different market contexts and that SOI protections alone are not enough to eliminate discrimination and ensure voucher holders have access to a wide range of housing options. Future research should build on this work by continuing to document the extent of discrimination in jurisdictions without SOI laws and evolving discriminatory practices where SOI protections are in place. Additional research and experimentation by enforcement agencies are also needed to test and scale innovative approaches to identifying landlords who violate SOI laws, and to changing landlord behavior through messaging and education.

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