

Testimony in Support of LD 847, “An Act to Prohibit Housing Discrimination.”

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Dear Senator Carney, Representative Kuhn, and members at the Joint Standing Committee on the Judiciary. My name is James Myall and I am a policy analyst at the Maine Center for Economic Policy. I am writing in support of LD 847, “An Act to Prohibit Housing Discrimination.” MECEP supports LD 847 because access to affordable and stable housing is fundamental to economic success, and too many Mainers lack this stability due to discrimination.

It is reasonable for landlords to consider whether someone has adequate and reliable income to consistently make rent; assessing whether a potential tenant will be able to pay on time each month is fundamental to being a landlord. No one is disputing that. But as long as those checks are coming in on time each month, it shouldn’t matter to a landlord where the money is coming from.

We know that non-discrimination laws work, and are needed, by the results in states that have these laws in place. In states with prohibitions against income discrimination in housing, landlords are half as likely to reject applicants with housing assistance as they are in states where there is no such prohibition.¹ Source-of-income protections also result in more mobility for voucher-holders, and less segregated neighborhoods.²

The Maine Human Rights Act prohibits discrimination in housing based on race and national origin but the lack of protections for source of income allow some landlords to use source of income as a proxy for these other factors. Due to a variety of historic and present-day barriers, Black Mainers have lower incomes than white, non-Hispanic Mainers, and, as a result, are four times as likely to use Housing Choice vouchers as their presence in the general population would suggest.³ Yet national research shows that Black and Hispanic voucher-holders are less likely to be able to use their vouchers, and suggests that implicit discrimination is a reason.⁴ LD 847 would prevent a small number of unscrupulous landlords using source-of-income discrimination as a backdoor to racial discrimination.

Even with the question of race aside, the current situation allows landlords to engage in discrimination based on class and income level. In many cases, it seems that landlords assume that people using public assistance funds for housing will be “bad tenants.” This is built on the assumption that people using public assistance are somehow deficient or consistently behave badly. In reality, many folks in that situation are simply unlucky. By

allowing landlords to reject applicants based on their source of income, it makes it harder for these folks to get back on their feet.

In order to ensure that all Mainers have a fair shot at keeping a roof over their head and laying the foundations for future economic stability, I urge you to vote “ought to pass” on LD 847.

Thank you for your time. Please reach out to me with any questions at jmyall@mecep.org

Notes

¹ Alison Bell, Barbara Sard and Becky Koepnick, “Prohibiting Discrimination Against Renters Using Housing Vouchers Improves Results,” *Center on Budget and Policy Priorities*. Dec 20 2018.
<https://www.cbpp.org/research/housing/prohibiting-discrimination-against-renters-using-housing-vouchers-improves-results>

² Ingrid Gould Ellen, Katherine M. O’Regan and Katharine WH Harwood, “Advancing Choice in the Housing Choice Voucher Program: Source of Income Protections and Locational Outcomes.” *SSRN*, May 31, 2022.
<https://ssrn.com/abstract=4102425> or <http://dx.doi.org/10.2139/ssrn.4102425>

³ According to HUD data for 31st December 2024, 7 percent of Housing Choice voucher users in Maine were Black, non-Hispanic, compared to 1.7% of the population reported in the US Census Bureau, American Community Survey data for 2023.

⁴ Ingrid Gould Ellen, Katherine M. O’Regan and Sarah Strochack, “Race, Space, and Take Up: Explaining Housing Voucher Lease-Up Rates.” *SSRN* 25 Aug 2023.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4551935