



Can A Landlord Reject My Application Based on How I Pay My Rent?

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In Toledo, as in many cities across the country,¹ it is illegal for landlords to discriminate based on your source of income.² This means landlords cannot deny your application for housing simply because of the way you get money for rent, as long as it is a legal, reliable source of income.

Landlords CANNOT:

- Advertise that they do not accept Housing Choice (Section 8) Vouchers or Social Security Disability, or that you must be gainfully employed
- Deny your application for housing because of the source of your income
- Evict you or refuse to renew your lease because of the source of your income
- Use different eligibility criteria because of your source of income (for example, requiring minimum income or credit score only for those with nontraditional income, but not requiring this for tenants with traditional income)
- Require that all income is from one single source or refuse to consider multiple sources of legal, reliable income when performing income calculations

But landlords CAN:

- Require two or three times the rent in income as long as this is calculated based on the amount of rent you will actually pay. For instance, if you have a voucher and your portion of the rent is \$150, your landlord only needs to confirm that you have income of \$450 a month.
- Ask about the sources and nature of your income and request documentation, as long as they do not deny you or treat you worse based on your source of income
- Deny your application because you do not meet other eligibility criteria, such as credit score, eviction record, or criminal history
- Deny your application because you are unable to pay the rent and fees in full

(continued)

What should you do if you believe you have experienced source of income discrimination?

- First, contact the City of Toledo. In the Toledo area, as of the date of this guidance, only the City of Toledo may directly enforce its local source of income discrimination law. However, the City is still working on developing a way to receive complaints, investigate, and punish source of income discrimination. Therefore, The Fair Housing Center encourages all tenants who believe they may have been the victim of source of income discrimination to contact the City of Toledo to ask that they enforce the local source of income discrimination laws.
 - Contact representatives of City Council, here: <https://toledo.oh.gov/government/city-council/council-members>, or call 419-245-1050.
 - Contact Engage Toledo at engagetoledo@toledo.oh.gov, or call 419-936-2020.
 - *Explain that you have experienced source of income discrimination. Ask that the City please begin strong enforcement of the source of income discrimination law as soon as possible.*
- Second, contact The Fair Housing Center at 419-243-6163. In many cases, discrimination based on source of income is a cover or “pretext” for discrimination based on race or disability. While The Fair Housing Center cannot directly enforce the City’s source of income discrimination law, it can investigate for other forms of discrimination. We will evaluate each case individually.

¹ For a list of jurisdictions that prohibit source of income discrimination, see here: <https://www.prrac.org/pdf/AppendixB.pdf>.

² TMC 554.01 through 554.100, available at https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-93855.

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