DELAWARE STATE SENATE
151st GENERAL ASSEMBLY

SENATE BILL NO. 75

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO FAIR HOUSING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1   Section 1. Amend § 4607, Title 6 of the Delaware Code by making deletions as shown by strike through and

2   insertions as shown by underline as follows:

3   § 4607. Exemptions in certain situations.

4   (j) A landlord is not required to participate in any government-sponsored rental assistance program, voucher, or

5   certificate system. A landlord's nonparticipation in any government-sponsored rental assistance program, voucher, or

6   certificate system may not serve as the basis for any administrative or judicial proceeding under this chapter. [Reserved.]

SYNOPSIS

This Act revises the Fair Housing Act to repeal the exception to discrimination based on source of income that allows a landlord to discriminate against tenants who participate in government-sponsored rental assistance programs. This exemption contributes to a lack of affordable housing in this State. There is currently a severe shortage of affordable housing for extremely low-income households in Delaware, with only 38 affordable rental units available for every 100 extremely low-income households. In addition, studies have shown that people who use government subsidies to move from high-poverty neighborhoods to communities with more opportunity have measurable health improvements and the children in these families earn more in adulthood than children who remain in high-poverty neighborhoods.

Nine states and the District of Columbia have fair housing laws that protect against discrimination based on source of income that covers recipients of government subsidies.

Author: Senator Lockman