

SUPPORT SB 1780 (HFA3)

HOUSING AS A HUMAN RIGHT

Aquino/Tarver



The Problem:

In Illinois, **landlords are able to refuse to rent to prospective tenants solely based on a record of arrest – even if the tenant has never been convicted of a crime.** As a result, individuals and families can be denied the ability to find safe and affordable housing in their community.

Landlords can also deny housing to individuals for records that should *not* be considered because the court has ordered them to be expunged, sealed, or impounded from public view or they are protected under the Juvenile Court Act.

The Solution:

Housing as a Human Right

SB1780 (HFA3) creates a civil rights violation under the Illinois Human Rights Act to refuse to engage in real estate transactions, or otherwise make housing unavailable to any buyer or renter based on:



1. An arrest not leading to a finding of guilt;
2. A juvenile record; or
3. A criminal history record ordered expunged, sealed, or impounded.

This bill aligns the housing protections for “arrest records” with the employment provisions of the Illinois Human Rights Act.

*The United States Department of Housing and Urban Development (HUD) made clear in their guidance that arrest records **may not** be the basis of denying individuals the ability to live in subsidized housing, due to the disproportionate and discriminatory effects of arrest, conviction and incarceration on African-American and Hispanic populations.¹*

¹U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WASHINGTON DC 20410-0500, APRIL 4, 2016

Office of General Counsel Guidance on Application of Fair Housing Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions

For more information, please contact:

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SB 1780 (HFA3): HOUSING AS A HUMAN RIGHT

This legislation is supported by the

ROCI

Restoring Rights & Opportunities Coalition of Illinois

a coalition of directly impacted community leaders, organizers and policy advocates from



Other Supporting Organizations

ACLU of Illinois
Chicago Alliance Against Sexual Exploitation
Chicago Area Fair Housing Alliance
Chicago Community Bond Fund
Chicago Metropolitan Battered Women's Network
Chicago Urban League
Coalition to Reduce Recidivism
Housing Action Illinois
Lifespan
Project IRENE
Resilience
Unitarian Universalist Advocacy Network of Illinois
Unitarian Universalist Prison Ministry of Illinois
Sargent Shriver National Center on Poverty Law
Woodstock Institute

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