

CITY OF PHILADELPHIA
COMMISSION ON HUMAN RELATIONS

TOMIKA ANGLIN,
Complainant,

v.

PCHR CHARGE NO.

ALLEGIANCE REAL ESTATE LLC,
Respondent,

and

ANTHONY GOTZIS AND LORI GOTZIS,
Respondents.

COMPLAINT

INTRODUCTION

1. The Housing Choice Voucher program, often referred to as “Section 8,” is the federal government’s major program for providing financial assistance to low-income families to afford decent, safe, and sanitary housing on the private rental market. In Philadelphia, over 20,000 families are served by the program, and 80% of Housing Choice Voucher holders are black. *See* HUD OFFICE OF POLICY DEVELOPMENT AND RESEARCH DATABASE, DATASET: PICTURE OF SUBSIDIZED HOUSING, <https://www.huduser.gov/portal/datasets/assthsg.html> (last accessed July 31, 2019).

2. Under the Housing Choice Voucher program, a housing subsidy is paid to the landlord directly on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.

3. But Philadelphians who use housing assistance programs to help pay their rent face enormous difficulty in finding landlords that will accept their voucher. A recent study from

the Urban Institute, which conducted hundreds of test applications within Philadelphia, found that 67% of landlords in the city refuse to rent to voucher holders. MARY CUNNINGHAM, ET AL., A PILOT STUDY OF LANDLORD ACCEPTANCE OF HOUSING CHOICE VOUCHERS, URBAN INSTITUTE (Sept. 2018) <https://www.huduser.gov/portal/pilot-study-landlord-acceptance-hcv.html>; *see also* Julia Teruso, “In Philly, two-thirds of landlords won’t take affordable housing vouchers – even when the renter can afford the place,” *Phila. Inq.*, (Aug. 27, 2018). <https://www.inquirer.com/philly/news/housing-vouchers-section-8-affordable-urban-institute-study-20180827.html>.

4. Many landlords choose to categorically deny potential renters solely because they use a housing voucher. However, this practice is illegal under the Philadelphia Fair Practices Ordinance, which prohibits housing discrimination based on source of income. § 9-1100, *et. seq.*

5. When enacting the Fair Practices Ordinance, City Council found that landlord discrimination in housing “results in overcrowded, segregated areas, under substandard, unsafe, unsanitary conditions.” *Phila. Code* § 9-1101(c).

6. Landlords’ refusals to accept tenants who will pay their rent partially or wholly from housing choice vouchers create a vicious cycle of housing instability for low-income Philadelphians. Despite anti-discrimination protections, families are shut out of the private market. The compounded effect of discrimination and the lack of affordable housing in Philadelphia makes it even more difficult for low income renters to maintain employment, access healthcare and educational opportunities, and strengthen social bonds with their community.

PARTIES

7. Complainant Tomika Anglin lives at 2127 Mifflin Street, Philadelphia, PA 19145. Ms. Anglin is a housing choice voucher holder and a black woman.

8. Anthony Gotzis and Lori Gotzis are the owners of record at 1426 S. 24th Street, Philadelphia, PA 19146.

9. Allegiance Real Estate LLC (“Allegiance”) manages 1426 S. 24th Street; its corporate address is 2200 Fairmont Avenue, Philadelphia, PA 19130. Upon information and belief, it manages dozens, if not hundreds, of properties in Philadelphia.¹

JURISDICTION

10. This conduct took place within the city of Philadelphia.

11. The Respondents are covered by the Philadelphia Fair Practices Ordinance.

12. The actions taken against Ms. Anglin occurred less than 300 days ago.

FACTS

13. Ms. Anglin receives housing assistance from the Philadelphia Housing Authority through the Housing Choice Voucher (“HCV”) program.

14. Ms. Anglin relies on the HCV payments as the source of income with which she pays rent – she currently receives a voucher in the amount of \$1,100. *See* Ex. A.

15. In Philadelphia, 80% of HCV holders are black.

16. Ms. Anglin was living in the same house for over 20 years when her rent was raised beyond what she was able to pay.

17. Accordingly, on February 2, 2019, Ms. Anglin received official notice that her lease would not renew on April 1, 2019.

18. Ms. Anglin shortly thereafter began her search for a new home.

¹ Allegiance Real Estate, Anthony Gotzis, and Lori Gotzis are collectively referred to as “Respondents” throughout the Complaint.

19. Respondents lease and manage the rental property at 1426 S. 24th Street, Philadelphia, PA 19146.

20. According to data from the American Community Survey, approximately 45% of residents in the 19146 zip code are black and 45% are white. *See ACS DEMOGRAPHIC AND HOUSING ESTIMATES, 2013-2017 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES, (2017) <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF> (last accessed July 31, 2019).*

21. Upon information and belief, respondents listed their three-bedroom rental property at 1426 S. 24th Street on numerous websites asking for \$1,050 per month in rent. *See Ex. B.*

22. Ms. Anglin found the listing and contacted the party responsible for the listing through the website's email platform.

23. Ms. Anglin's first communication with Allegiance was an email in which she asked, "Are you willing to rent under Section 8?" referring to her use of a housing choice voucher. *See Tomlin Email, Apr. 12, 2019 at 4:34 pm at Ex. C.*

24. In reply, Ms. Anglin received an email from Bryan Reese, "Broker/Owner" for Allegiance, that read in full, "Unfortunately not." *See Reese Email, Apr. 12, 2019 at 4:40 pm at Ex. C.*

25. In reliance on that stated policy, Ms. Anglin did not further pursue Respondents' rental property, despite her interest in the property and her need to move.

COUNT I: SOURCE OF INCOME DISCRIMINATION

26. The Philadelphia Fair Practices Ordinance prohibits housing discrimination—including refusals to rent, interference with housing opportunities, and discriminatory policies

and statements—based on “source of income,” which “shall include any lawful source of income, and shall include, but not be limited to . . . housing assistance programs.” Phila. Code §§ 9-1102(cc) & 9-1108.

27. Respondents refused Ms. Anglin the opportunity to rent at 1426 S. 24th Street on the basis of her source of income. Phila. Code § 9-1108(1)(a).

28. Respondents interfered with Ms. Anglin’s opportunity to rent at 1426 S. 24th Street by stating that Ms. Anglin’s voucher would not be accepted, in spite of the Ordinance’s clear prohibition on source of income discrimination. Phila. Code § 9-1108(1).

29. Respondents established, announced, or followed a discriminatory policy of denying or limiting the opportunities of voucher-holders, including Ms. Anglin, to rent Respondents’ property. Phila. Code § 9-1108(1)(f).

30. Respondents made a written statement directly expressing a limitation, specification or other discrimination or the intent to make such a limitation, specification or other discrimination against voucher-holders, including Ms. Anglin. Phila. Code § 9-1108(1)(c).

31. Ms. Anglin requests compensatory damages, punitive damages, attorney’s fees and costs, injunctive relief that requires Respondents to correct and prevent the unlawful conduct described herein, at all properties that they own and/or manage, and any other relief the Commission deems just and equitable.

CONCLUSION

32. Ms. Anglin has not filed a complaint about the actions described herein with the Pennsylvania Human Relations Commission or any federal agency.

33. Ms. Anglin hereby authorizes the Philadelphia Commission on Human Relations to serve this complaint upon the Respondents, investigate her complaint and the facts related

thereto, and to file her complaint under the laws of the Pennsylvania Human Relations Commission and/or the U.S. Department of Housing and Urban Development, if applicable.

34. Ms. Anglin requests that her file be reviewed under all applicable laws enforced by the Commission to satisfy the procedural and administrative requirements for proceeding under federal or state laws should it become necessary.

Dated: August 9, 2019

/s/ George A. Donnelly
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