

CITY OF PHILADELPHIA
COMMISSION ON HUMAN RELATIONS

WILLIE TAYLOR,
Complainant

v.

CHELSEA MANAGEMENT,
Respondent

and

LIBERTY CROSSINGS 2012 LP,
Respondent.

PCHR CHARGE NO.

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 Willie Taylor lives at 5986 North 20th Street, Philadelphia, PA 19138. Mr. Taylor is a black man with disabilities and a housing choice voucher holder.

8. Liberty Crossings 2012 LP owns the property located at 3101-3201 Woodhaven Road, Philadelphia, PA 19154 (hereinafter “Liberty Crossing”); its corporate address is C/O Garner House, 50 South Penn Square, B4, Hatboro, PA 19040.

9. Chelsea Management is a property management company headquartered at 282 Cedar Bridge Avenue, Lakewood, NJ 08701. Upon information and belief, Chelsea Management manages Liberty Crossing.

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 Mr. Taylor occurred less than 300 days ago.

FACTS

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

14. Mr. Taylor relies on these voucher payments as a source of income with which he pays rent.

15. Mr. Taylor currently rents a home for \$900 per month – he personally pays \$265 of his rent and his voucher covers the remaining \$635.

16. Mr. Taylor is seeking to move from his current address because he is disabled and his current home is not accessible. His current landlord has given his written permission for Mr. Taylor to move.

17. Respondents lease and manage accessible units at Liberty Crossing.

18. Liberty Crossing is located in the 19154 zip code. According to the U.S. Census Bureau, 86% of that zip code’s residents are white and 8% are black. *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).

19. Liberty Crossing offers one and two-bedroom apartments for rent at a range of \$945-\$1,200 per month.

20. In May 2019, Mr. Taylor called the listed phone number for Liberty Crossing and spoke to Respondents' employee via telephone to inquire about available units at Liberty Crossing.

21. Mr. Taylor asked Respondents' employee if Respondents accept payments through the HCV program at Liberty Crossing.

22. Respondents' employee stated in response that, while Respondents previously accepted payments through the HCV program at Liberty Crossing, they no longer consider applicants with vouchers.

23. After Mr. Taylor contacted Respondents' employee, a social worker contacted Respondents' employee on Mr. Taylor's behalf.

24. The social worker asked Respondents' employee if Respondents accept payments through the HCV program at Liberty Crossing.

25. Respondents' employee stated in response that Respondents previously accepted payments through the HCV program at Liberty Crossing, but no longer do so.

26. In reliance on that stated policy, Mr. Taylor did not further pursue Respondents' rental property, despite his interest in the property and his need to move.

COUNT I: SOURCE OF INCOME DISCRIMINATION

27. 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.

28. Respondents refused Mr. Taylor the opportunity to rent at Liberty Crossing on the basis of his source of income.

29. Respondents interfered with Mr. Taylor’s opportunity to rent at Liberty Crossing by stating that Mr. Taylor’s voucher would not be accepted, in spite of the Ordinance’s clear prohibition on source of income discrimination.

30. Respondents established, announced, or followed a discriminatory policy of denying or limiting the opportunities of voucher-holders, including Mr. Taylor, to rent Respondents’ property.

31. Respondent made an oral 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 Mr. Taylor.

32. Mr. Taylor 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

33. Mr. Taylor has not filed a complaint about the actions described herein with the Pennsylvania Human Relations Commission.

34. Mr. Taylor hereby authorizes the Philadelphia Commission on Human Relations to serve this complaint upon the Respondents, investigate Mr. Taylor's complaint and the facts related thereto, and to file Mr. Taylor's complaint under the laws of the Pennsylvania Human Relations Commission and/or the U.S. Department of Housing and Urban Development, if applicable.

35. Mr. Taylor requests that his 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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