

What should you do if a housing provider is not in compliance with the law?

Contact us!

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The Human Rights Commission works to provide leadership and advocacy to secure, protect and promote human rights for all people. The Human Rights Commission was established in 1964 by City Ordinance and became a Charter Commission in 1990.

Know Your Rights!

Setting the Record Straight on Section 8

San Francisco
Human Rights Commission
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City and County of San Francisco



Did you know...

A landlord in San Francisco cannot refuse to rent to you because you use a Section 8 voucher.

It's the Law.

It's a violation of local law (San Francisco Police Code Section 3304) for a housing provider to treat Section 8 differently than other sources of income.

This law **only** applies to housing in the City and County of San Francisco.

Know Your Rights!

Understand your rights and know when a housing provider is not complying with the law.

How can you tell if a housing provider is violating the law? Separate **FACT** from **FICTION**:

- ✘ A San Francisco landlord can legally refuse to accept Section 8 vouchers. **FICTION.** A landlord may not advertise, refuse to rent to you, or refuse to continue renting because you have a Section 8 voucher.
- ✓ A landlord can legally check your credit history and references. **FACT.** A landlord can refuse to rent to you due to poor credit history, prior evictions, or a history of failing to pay your rent.
- ✘ A landlord can agree to accept your Section 8 voucher, on the condition that you pay a higher security deposit. **FICTION.** A landlord may not change the terms of a lease based on your voucher. Rental terms and conditions should be offered equally to all tenants of the property, regardless of source of income.
- ✘ A landlord can legally deny you housing because they PREFER to rent to someone with another source of income. **FICTION.** A landlord cannot state that they prefer a certain source of income over another. A landlord must treat lawful sources of income equally.
- ✘ A landlord can legally refuse your Section 8 voucher because the requirements are "too much work." **FICTION.** A landlord may not refuse to rent to you because they don't want to comply with the requirements of the Section 8 program.

- ❖ A landlord outside of San Francisco can refuse to accept your Section 8 voucher. *IT DEPENDS.* San Francisco's housing law only applies to housing providers in the City and County of San Francisco. Check with your city or county government about local housing laws near you.
- ✓ A landlord can legally ask you how much your monthly income is. **FACT.** A landlord may ask you about your income, and verify that you have a lawful source of income. Also, a landlord may refuse to rent to you if your total income is not enough. However, a landlord cannot refuse to include your rental assistance amount in that total.

What is source of income?

Your "source of income" is where your money comes from. San Francisco law defines "source of income" to include government-subsidized rental assistance, such as a Section 8 voucher, and all other lawful sources of income.