

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

A resolution/ordinance by Supervisor Dimitrijevic, amending Section 107.01 and creating Section 107.02(9) of the Milwaukee County Code of General Ordinances regarding fair housing to include “receipt of rental or housing assistance” as a protected class, by recommending adoption of the following:

AN AMENDED RESOLUTION/ORDINANCE

WHEREAS, fair housing occurs when people have a wide range of housing choices based on their income and needs, regardless of race, color, sex, sexual orientation, religion, creed, national origin, ancestry, age, marital status, lawful source of income, disability, family status, or status as a victim of domestic abuse, sexual abuse, stalking, gender identity and gender expression, or status in a domestic partnership; and

WHEREAS, many cities, states, and counties, including Milwaukee County (the County), have local laws that do not allow landlords to discriminate against potential tenants on the grounds of their “source of income,” yet research suggests that landlords continue to discriminate against potential tenants based on their source of income and relatedly receipt of rental or housing assistance; and

WHEREAS, discrimination is especially prevalent with tenants who have Section 8 vouchers, a Federal rental subsidy, leading to the failure of the main goals of the voucher program – mobility and poverty de-concentration; and

WHEREAS, Section 107 of the Milwaukee County Code of General Ordinances (the Code) was created in 1992 and contains the County’s fair housing ordinance, which is enforced by the County’s Office of Corporation Counsel; and

WHEREAS, “receipt of rental or housing assistance” is not included as a protected class in the County’s fair housing ordinance and Federal law does not require landlords to accept housing choice vouchers; and

WHEREAS, it is therefore necessary to include and define “receipt of rental or housing assistance” to ensure that tenants are not discriminated against based on their receipt of rental or housing assistance; and

WHEREAS, additionally, the first and last months of tenancy for tenants receiving rental or housing assistance can be difficult for both landlords and tenants; and

WHEREAS, a revolving fund providing financial assistance to tenants may provide more stability during transitions, as well as more certainty to landlords, which may improve access to good, affordable housing for tenants receiving rental or housing assistance; and

47 WHEREAS, the 2018 Milwaukee County budget created the Housing
48 Opportunities and Minimizing Evictions for Stability (HOMES) program, which includes a
49 housing stabilization fund that may be utilized to provide stability and improve outcomes
50 for tenants receiving rental or housing assistance; and

51
52 WHEREAS, residents can report fair housing violations to the Audit Services
53 Division, Office of the Comptroller, which operates the County’s Fraud Hotline; and

54
55 WHEREAS, the Committee on Economic and Community Development, at its
56 meeting of June 12, 2018, recommended adoption of File No. 18-139 as amended (vote
57 3-1); now, therefore,

58
59 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
60 continues to support the policy enshrined in the fair housing ordinance, which states
61 that “all persons shall have an equal opportunity for housing”; and

62
63 BE IT FURTHER RESOLVED, the County Board authorizes and requests that
64 the Housing Division, Department of Health and Human Services (DHHS), study the
65 proposal of a revolving fund that provides financial assistance to tenants receiving rental
66 or housing assistance, focusing on the beginning or end of a rental agreement; and

67
68 BE IT FURTHER RESOLVED, as part of the study of the revolving fund, the
69 Housing Division, DHHS, should work with the Housing Authority of the City of
70 Milwaukee to explore possible funding sources for the fund, as well as possible
71 partnerships to support the fund; a written report should be provided to the County
72 Board by the September 2018 cycle detailing the findings of the study; and

73
74 BE IT FURTHER RESOLVED, the County Board authorizes and requests that
75 the Housing Division, DHHS, target resources in the Housing Opportunities and
76 Minimizing Evictions for Stabilization (HOMES) program’s housing stabilization fund to
77 tenants receiving rental or housing assistance; and

78
79 BE IT FURTHER RESOLVED, to improve and modernize Milwaukee County’s
80 (the County) voucher program and to recruit landlords for the program the Housing
81 Division will hold a quarterly education series with the Housing Authority of the City of
82 Milwaukee for landlords, and additionally will evaluate the following issues:

83

- 84 • Reasonableness of inspection and approval timelines
- 85 • Electronic Payments
- 86 • Physical documentation for tenants of voucher eligibility
- 87 • Housing Division's response time to inquiries from landlords
- 88 • Evaluating fair market rents and voucher portability
- 89 • Educating landlords on the process and educational opportunities

90
91 ; and

92
93 BE IT FURTHER RESOLVED, the Housing Division, DHHS, shall provide
94 quarterly reports to the County Board on its efforts to improve and modernize the
95 County's voucher program, and its efforts to recruit and educate landlords; and

96
97 BE IT FURTHER RESOLVED, Corporation Counsel, Office of Corporation
98 Counsel, will continue to enforce the provisions of Section 107 of the Milwaukee County
99 Code of General Ordinances (the Code) and will work with the Audit Services Division,
100 Office of the Comptroller, to ensure a seamless referral process for fair housing
101 complaints received through the County's Fraud Hotline; and

102
103 BE IT FURTHER RESOLVED, the County Board hereby amends Section 107 of
104 the Code by adopting the following:

105
106 **AN ORDINANCE**

107
108 The County Board of Supervisors of the County of Milwaukee does ordain as
109 follows:

110
111 **SECTION 1.** Section 107.01 of the Milwaukee County Code of General Ordinances is
112 hereby amended as follows:

113
114 107.01. - Intent.

115
116 It is the intent of this chapter to render unlawful discrimination
117 in housing and to enact this chapter pursuant to the authority granted to
118 counties by s. ~~66.432(2)~~ 66.1011, Wis. Stats. It is the declared policy of
119 the county that all persons shall have an equal opportunity for housing
120 regardless of sex, race, color, disability, religion, creed, national origin or
121 ancestry, marital status of a person maintaining a household, lawful
122 source of income, receipt of rental or housing assistance, age, sexual
123 orientation, as defined in s. 111.32(13m), Wis. Stats., status as a victim of
124 domestic abuse, sexual assault, or stalking, gender identity and gender
125 expression, or status in a domestic partnership.

126

127 **SECTION 2.** Section 107.02(9) of the General Ordinances of Milwaukee County is
128 created as follows:

129
130 107.02 Definitions.

131
132 (9) “Receipt of rental or housing assistance” means the receipt of any form of
133 financial contribution from a third party for the purposes of creating or keeping
134 affordable housing for tenants, purchasers, or other potential housing recipients,
135 including but not limited to, assistance provided pursuant to Title 42, United
136 States Code, section 1437f (commonly known as the “Section 8” housing
137 program), the HOME Partnership Program, the Community Development Block
138 Grant program, or any other public or private rental assistance vouchers or
139 programs.

140
141 **SECTION 3.** The provisions of this Ordinance shall become effective upon passage and
142 publication.

143
144
145
146
147

ars
06/12/18
S:\Committees\2018\Jun\ECD\Resolutions\18-139 fair housing ordinance dimitrijevic.docx