



# HOMES FOR ALL

S.866/H.1799



## "Discretion" = Denial

*An Act Relative to Homes for All would amend Section 4 of Ch. 151B of the 2018 Official Edition of the General Laws in order to prohibit housing discrimination in rentals, leases, subleases, or occupancy agreements in Boston on the basis of arrest or conviction record.*

Sign Our Petition

**Organization Sign-On**

If your organization would like to support our efforts please sign [here](#)

### Are there any exceptions?

There are two exceptions:

- (1) housing providers who must abide by any federal or state law or regulation that requires consideration of conviction record information for housing purposes, and
- (2) roommates — people who are renting a room (or rooms) while also residing in the same housing accommodation, or whose family members reside in the same housing accommodation

Given the well-documented overrepresentation of people of color in our criminal legal system, denying people housing based on conviction records is often a proxy for denying people based on race.

In 2016, the U.S. Department of Housing and Urban Development (HUD) issued guidelines that, given the racial disparities of the criminal legal system, housing policies that include a blanket ban on people with conviction records violate federal fair housing laws.

**Justice For Housing, Inc.**

[info@justice4housing.org](mailto:info@justice4housing.org)

[www.justice4housing.org](http://www.justice4housing.org)

@Justice4Housing

@Justice4Housing

@Justice4Housing



# HOUSING AND INCARCERATION

- Research shows that formerly incarcerated people with access to stable housing are 20% less likely to commit a crime.
- In a pilot program in Ohio, giving supportive housing to people with disabilities upon reentry led to a 40% drop in recidivism.
- Homelessness exasperates the “revolving door” of incarceration formerly incarcerated people more likely to be arrested and incarcerated again, thanks to policies that criminalize homelessness.
- A recent joint investigation by The Markup and The New York Times found that renter background checks can be wildly inaccurate — one lawsuit claims that a single background check company produced 11,000 inaccurate renter background reports between 2014 and 2019.
- Landlords will still have the opportunity to judge all applicants on the merits of their individual applications.
- Similar laws have been passed in Seattle, WA, Richmond, CA, and Urbana, IL. Although these laws are relatively new, there is no evidence that the laws have led to an increase in crime or problems in buildings.

"This impacts so much more than people with convictions – it impacts whole families. Nearly half of all children in the United States—about 33 million to 36.5 million—have at least one parent with a criminal record. The collateral consequences of having a conviction record create barriers, restrict opportunities, and undermine the mobility and success for families across generations. Reducing barriers to housing so that people and families have stable homes can interrupt these intergenerational cycles of poverty and homelessness." - *Leslie Credle, Founder, Justice4Housing*

#### Sources:

“Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions,” [https://www.hud.gov/sites/documents/HUD\\_OGCGUIDAPPFHASTANDCR.PDF](https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF)  
Removing Barriers to Opportunity for Parents With Criminal Records and Their Children,”

<https://www.americanprogress.org/issues/poverty/reports/2015/12/10/126902/removing-barriers-to-opportunity-for-parents-with-criminal-records-and-their-children/>

Accounting for Violence: How to Increase Safety and Break Our Failed Reliance on Mass Incarceration,”

<https://www.vera.org/downloads/publications/accounting-for-violence.pdf>

“Reducing re-offending by ex-prisoners,” p. 94

[https://www.prisonstudies.org/sites/default/files/resources/downloads/reducing\\_report20pdf.pdf](https://www.prisonstudies.org/sites/default/files/resources/downloads/reducing_report20pdf.pdf)

“Supportive Housing for Returning Prisoners: Outcomes and Impacts of the Returning Home-Ohio Pilot Project,”

<https://www.urban.org/sites/default/files/publication/25716/412632-Supportive-Housing-for-Returning-Prisoners-Outcomes-and-Impacts-of-the-Returning-Home-Ohio-Pilot-Project.PDF>

“Fair Housing in New York,” <https://www.fairhousingjustice.org/about-us/fair-housing-new-york/>