

CITY OF PHILADELPHIA
COMMISSION ON HUMAN RELATIONS

TOMIKA ANGLIN,
Complainant,

v.

GINARK INVESTMENTS &
MANAGEMENT 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/assths.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 from housing 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. Ginark Investments & Management L.P (“Ginark Investments”) owns the property located at 2219 Winton Street, Philadelphia, PA 19145 (“2219 Winton Street”); its corporate address is 530 South 2nd Street, Suite 617, Philadelphia, PA 19147.

9. Upon information and belief, Ginark Investments manages 2219 Winton Street and over 300 total properties in Philadelphia.

JURISDICTION

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

11. The Respondent is 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 a 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.

19. Respondent leases and manages the rental property at 2219 Winton Street, Philadelphia, PA 19145.

20. According to data from the American Community Survey, approximately 32% of residents in the 19145 zip code are black and 51% 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. Respondent’s two-bedroom rental property at 2219 Winton Street was on the website www.GoSection8.com and other websites advertising the unit as available for \$1,100 per month. *See* Ex. B.

22. Ms. Anglin found the listing and text messaged the telephone number provided on the listing sites on May 20, 2019.

23. Ms. Anglin then had the following exchange with an agent of Ginark Investments:

Ms. Anglin: Good Afternoon, I’m inquiring about 2219 Winton.

Is it still available? Can I schedule a viewing?

Ginark: Are you section 8?

Ms. Anglin: Yes 2 br [.]

Ginark: Not accepting any vouchers sorry [.]

Ms. Anglin: You did list on Gosection8.com, right?

Ginark: We’re not accepting Boucher’s [sic] I’m very sorry to inform.

See Ex. C.

24. In reliance on that stated policy, Ms. Anglin did not further pursue Respondent’s rental property, despite her interest in the property and her need to move.

COUNT I: SOURCE OF INCOME DISCRIMINATION

25. 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.

26. Respondent interfered with Ms. Anglin’s opportunity to rent at 2219 Winton 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).

27. Respondent refused Ms. Anglin the opportunity to rent at 2219 Winton Street based on her source of income. Phila. Code § 9-1108(1)(a).

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

29. Respondent 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).

30. Ms. Anglin requests compensatory damages, punitive damages, attorney’s fees and costs, 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, and any other relief the Commission deems just and equitable.

CONCLUSION

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

32. Ms. Anglin hereby authorizes the Philadelphia Commission on Human Relations to serve this complaint upon the Respondent, investigate her complaint and the facts related thereto, and to file her complaint under the laws of the Pennsylvania Human Relations Commission if applicable.

33. 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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