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S.B. 317
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Maharath

Michael Hinel, Attorney

SUMMARY

- Prohibits discrimination in rental housing based on a tenant's or prospective tenant's lawful source of income, including housing assistance.

DETAILED ANALYSIS

Fair Housing Law

The bill adds provisions to Ohio's Fair Housing Law that prohibit landlords from taking certain actions based on a tenant's or prospective tenant's "**lawful source of income.**" That term is defined, under the bill, to include "benefits or subsidy programs," themselves specifically including: housing assistance, housing vouchers, public assistance, emergency rental assistance, veterans benefits, social security, supplemental security income or other retirement programs, and other programs administered by any federal, state, local, or nonprofit entity.¹

The specific actions the bill prohibits landlords from undertaking on the basis of a lawful source of income are:

- Refusing to rent or lease housing accommodations;
- Refusing use of common areas and facilities in housing accommodations;
- Serving a notice of termination of tenancy;
- Commencing an eviction action on grounds not authorized by law;
- Representing that housing accommodations are not available for inspection or rental when they are, in fact, available;

¹ R.C. 4112.01(A)(17).

- Requiring different terms for inspection or rental of housing accommodations;
- Making, printing, or publishing any advertisements, statements, applications, or contracts indicating a preference, limitation, or discrimination;
- Otherwise denying or withholding housing accommodations.²

Under continuing law, a violation of the Fair Housing Law can be enforced by either the Ohio Civil Rights Commission or a private a civil action and result in the imposition of a civil penalty or an award of damages, injunctive relief, or any other appropriate relief.³

Conforming change

The bill alphabetizes the defined terms in the definitions section of Ohio’s Fair Housing Law. Except for the addition of the defined term “lawful source of income,” as explained above, the bill does not make any substantive changes to the defined terms.⁴

HISTORY

Action	Date
Introduced	03-23-22

ANSB0317IN-134/ks

² R.C. 4112.02(H)(23) through (25).

³ R.C. 4112.051 and 4112.052; R.C. 4112.05 and 4112.99, not in the bill.

⁴ R.C. 4112.01, 4112.051, 4112.052, and 4112.08.