



TENANT RIGHTS: Fair access to housing

Ann Arbor's **Non-Discrimination Ordinance** and **Fair Chance Access to Housing Ordinance** provide protections to those seeking rental housing.

The **NON-DISCRIMINATION ORDINANCE** requires that no one be denied housing because of their actual or perceived age, arrest record, color, disability, educational association, ethnicity, familial status (e.g., having children), family responsibilities, gender expression, gender identity, genetic information, height, HIV status, marital status, national origin, political beliefs, race, religion, sex, sexual orientation, source of income (e.g., using housing vouchers), veteran status, being a victim of domestic violence or stalking, or weight.

The **FAIR CHANCE ACCESS TO HOUSING ORDINANCE** eliminates the use of criminal history in tenant selection by Ann Arbor housing providers so that people with criminal records have a fair opportunity to compete for rental housing and reside with family members and others. The ordinance applies to all landlords in the City of Ann Arbor and went into effect April 18, 2021.

HOUSING PROVIDERS SHALL NOT:

- ✗ INQUIRE ABOUT AN APPLICANT'S CRIMINAL HISTORY
- ✗ REQUIRE AN APPLICANT TO DISCLOSE THEIR CRIMINAL HISTORY
- ✗ REQUIRE AN APPLICANT TO AUTHORIZE THE RELEASE OF THEIR CRIMINAL HISTORY

*Housing providers may conduct criminal background checks **ONLY** when required to do so by federal or state law. The denial of housing by a housing provider because of a past criminal conviction may be based **ONLY** on state and federal requirements*.*

If required by federal or state law to conduct a criminal background check, the housing provider must first:

- ✓ Give the applicant a conditional offer to rent,
- ✓ Provide advance written notice to the applicant describing the specific federal and/or state requirements the applicant must meet, and
- ✓ Request written consent from the applicant or allow the applicant to withdraw the rental application.

If the housing provider withdraws the offer of housing because the applicant's criminal history does not meet federal or state requirements, the housing provider must provide the applicant a written notice that includes:

- ✓ The reason(s) for the withdrawal,
- ✓ The criminal history report or other information that served as the basis for the withdrawal,
- ✓ An opportunity for the applicant to respond, and
- ✓ Instructions on how to file a complaint.

This ordinance does not apply to public housing authorities (e.g., Ann Arbor Housing Commission) or permanent supportive housing providers (e.g., Avalon, homeless service providers). Their goal is to house those who need it most whenever possible.

TO FILE A COMPLAINT OF A VIOLATION OF THE NON-DISCRIMINATION ORDINANCE OR FAIR CHANCE ACCESS TO HOUSING ORDINANCE:

Complete a complaint form at www.a2gov.org/humanrights
Email: HRC@a2gov.org or call **734.794.6141** for more information.

* An applicant who has qualified to receive federally subsidized housing vouchers has met federal requirements. A subsequent criminal background check on that applicant by a housing provider should therefore not cause the housing provider to deny housing to the applicant.