



WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND URBAN AFFAIRS

For Immediate Release

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Equal Rights Center Sues Large Real Estate Company For Source of Income Discrimination In Montgomery County, MD

WASHINGTON, D.C., May 5, 2009 – The Equal Rights Center (ERC) – a non-profit, civil rights organization – and the Washington Lawyers' Committee for Civil Rights & Urban Affairs (WLC), today brought suit in the Circuit Court for Montgomery County, MD against Post Properties, Inc., a large owner and manager of rental property and several related companies (Post Companies) for source of income discrimination at one of its apartment complexes — Post Falls Grove, located at 102 Falls Grove Boulevard, Rockville, Maryland.

“For nearly two decades, Montgomery County law has quite clearly outlawed discrimination against Housing Choice Voucher holders. Today, when a voucher may be all that stands between a family and homelessness, there is simply no reasonable rationale that allows a landlord, such as Post Companies, to turn them away,” said Don Kahl, Executive Director of the ERC. “We hope that Post will immediately change its practices in Montgomery County, and that the courts will insure Post’s compliance with the law in the future.”

In 1991, Montgomery County added “source of income” as a protected class against housing discrimination. Source of income includes any governmental or private assistance, grant or loan program including what are commonly referred to as Section 8 Vouchers or Housing Choice Vouchers.

In support of this civil rights law, the ERC conducted both phone and in person tests in which “testers” would attempt to apply to rent apartments as if they had the income and typical household size of the average voucher holder in Montgomery County. As a result of these tests, in February 2009, the ERC filed several administrative complaints against owners and managers of six properties with the Montgomery County Office of Human Rights.

The complaint filed today against the Post Companies also arises out of that testing program. In the case of Post, multiple ERC testers were told that the Post Falls Grove apartment complex did not accept housing vouchers for rent. In another instance where an ERC tester actually visited

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the apartment complex, she was advised that Post Falls Grove would only consider voucher holders on a “case by case basis” and, unlike a tester who did not ask to use a voucher, she was not given a rental application.

In October 2008, the ERC released a report, *A Step Away From Homelessness*, which highlighted a **15 percent discrimination rate against Housing Choice Voucher Holders in Montgomery County, Maryland**, more than 17 years after the law first went into effect.

“This lawsuit seeks to ensure that the rights of people who use vouchers will be protected so that, especially in these financially difficult times, families in need can secure access to quality housing, better schools, jobs, and safe neighborhood,” said Mary Hahn, Fair Housing Project Director at the Washington Lawyers’ Committee.

In the Complaint filed today, the ERC will be jointly represented by the Washington Lawyers’ Committee for Civil Rights & Urban Affairs and the Washington D.C. law firm of Foley & Lardner.

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