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INDIANA GENERAL ASSEMBLY INITIATES ANTI-TENANT WEEK WITH SERIES OF BAD BILLS

INDIANAPOLIS, IN – In a late Friday news dump, the Indiana General Assembly posted its Monday schedule which includes a [SEA 148 veto override](#) after earlier in the day adding [HB 1541](#), a similar bill, to the House Judiciary schedule. Another harmful bill, [SB 158](#), is expected to also get a hearing next week. Governor Holcomb had vetoed SEA 148 after the 2020 General Assembly stating that the bill's language was overly broad by preempting local governments from regulating *any aspect* of the landlord-tenant relationship. Should SEA 148 be overridden, it would go into effect immediately, despite a health pandemic, in the cold of winter, and during an eviction housing crisis.

The bills would substantially change existing Indiana landlord-tenant law to weaken state protections for renters, who comprise more than 30% of the state's population. They will nullify positive tenant protections from cities and other local governments, such as an anti-retaliation ordinance and a policy requiring landlords to notify tenants of their rights and responsibilities recently passed in Indianapolis. Although the SEA 148 was clearly targeted at Indianapolis recent passage of [Ordinance 41 - Protection of Tenants' Rights](#), both it and HB 1541 will apply statewide. SB 158 targets only Marion County. Even a recent editorial by the *Indianapolis Business Journal* urged against a veto override stating, [Holcomb got it right, let his veto stand](#).

"For the past year, housing advocates have been begging for a comprehensive review of the Indiana's housing policies. The General Assembly's response is to jam through legislation, once again, at the housing industry's urging," stated Amy Nelson, Executive Director of the Fair Housing Center of Central Indiana (FHCCI). "At what point do our legislators show a molecule of care for our Hoosier renters? Consistently, their actions show that they are only responsive to the housing industry's many demands."

The FHCCI urges a "No" vote on the SEA 148 override and on HB 1514 and SB 158. The FHCCI hears far too often from tenants who are experiencing significant habitability problems, who fear or have experienced retaliation for trying to address those problems, those do not have adequate representation in court, those who struggle to find affordable or accessible housing for their families, or experience the harmful impacts of discrimination. In addition, the language of SEA 148 and HB 1514 would appear to preempt local housing discrimination ordinances, impacting many Hoosier cities' human rights and human relations commissions.

“Indiana keeps showing its lack of regard for civil rights protections,” continued Nelson. “We have made the national headlines far too frequently by [passing bigoted bills \(RFRA\)](#) or [refusing to pass a comprehensive hate crime law](#). Now, with these bills, city commissions working to challenge housing discrimination would be gutted because they are an ordinance which has impact upon the landlord-tenant relationship. Some cities would even lose federal funding.”

The FHCCI believes this is not just an Indianapolis problem but a statewide housing crisis. Each year, the National Low Income Housing Coalition publishes a report on the lack of affordable housing options across almost every county in our state and all urban centers. Several Indiana cities are also ranked as the highest evicting cities in the country. On an almost weekly basis, news reports are published across our state on serious housing habitability issues being faced by Hoosier tenants who have little recourse. Corporate landlords have also been extremely active in our state buying up foreclosed homes, changing them to rentals, and putting tenants at disadvantages when problems arise due to their out of state contacts.

“SB 148/HB 1514 are some of the most harmful housing bills I have seen in my over 20 year housing career,” stated Nelson. “Not only do they modify current law to take away any fines for those landlords who retaliate against tenants with just cause, but it even goes so far as to say that a City cannot even demand that *tenants be informed* of their most basic housing rights under law, amongst other changes.”

The FHCCI is further concerned with the several year trend taken by the Indiana General Assembly to continue to chip away at housing protections for Indiana’s renters who may be most at risk of homelessness and facing the significant lack of safe, affordable housing options for themselves and their families. Some of the Indiana General Assembly’s other recent actions have included:

- **SB 558** (2017): Banned cities from passing ordinances to promote inclusionary zoning as it relates to affordable housing. This bill occurred when the City of Bloomington was trying to mandate affordable housing requirements to address housing gaps in its city.
- **HB 1300** (2015): Section 8 discrimination protection ban. Prohibited a county, municipality, or township from adopting an ordinance that requires or would have the effect of requiring a landlord to participate in: (1) a Section 8 program of the federal Housing Act of 1937; or (2) a similar program concerning housing. This bill occurred when the City of Indianapolis was debating passage of a receipt of public assistance housing discrimination protection to address the high denial rates for persons using a housing choice voucher to pay their rent.
- **HB 1165 (2015)/HB 1403** (2014): Rental registration and inspection programs./Provides that the owner of a rental unit assessed any fee by a political subdivision pertaining to the rental unit may: (1) notify the tenants of the rental unit of the assessment of the fee; and (2) require the tenants of the rental unit to reimburse the owner for the payment of the fee. These bills gutted city rental inspection programs across our state working to ensure basic habitability in rental housing.

What Can You Do?

- Contact your state legislator now. Don’t Know Who Your Legislator Is? Go to: <http://iga.in.gov/legislative/find-legislators/?fbclid=IwAR16prlcyO1DgXnSiaTBjIVhFkGdENqMXLoMB25T7x-M0QJfSevUdfmMrPg>

- Sign this Opposition Letter:
<https://docs.google.com/forms/d/e/1FAIpQLSdoXdofJsZkrpRgS6GQSOKoOYvezO95twoJaefPxvYTxcXLXQ/viewform>
- Show up at 9:00 AM at the Indiana Statehouse on Monday (corner of Capitol & Market) for a rally!
- Learn more on the FHCCI's Public Policy Page: <https://www.fhcci.org/programs/public-policy/>
- Or, follow us on social media for breaking alerts. #HoosierTenantsMatterToo

The Fair Housing Center of Central Indiana (FHCCI) is a private, non-profit fair housing organization founded in 2011 and based in Indianapolis, Indiana. Its mission is to ensure equal housing opportunities by eliminating housing discrimination through advocacy, enforcement, education and outreach. For more information, visit: www.fhcci.org