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How Texas HOAs are keeping low-income renters out



By Sarah Holder, Kriston Capps | Bloomberg

When a homeowners association in the suburbs of north Dallas took steps to push out tenants like Evora Sykes who receive government rent assistance, housing advocates and lawyers took notice.

Sykes had relied on a federal housing voucher to afford her home. But after the Providence homeowners association said it would prohibit Section 8 tenants, she and her two kids moved out.

Providence Village, an 8,400-resident town, made headlines because of the local HOA prohibition’s disproportionate impact on Black residents, and has since reversed the policy. But other HOAs in the Dallas-Fort Worth metroplex have been quietly introducing and maintaining their own bans on renters with Section 8 vouchers, according to a Bloomberg CityLab investigation. The practice has been more widespread than previously known: At least 15 HOAs comprising thousands of homes in the Dallas area have at one point restricted voucher users.

Several of those bans remained in effect when a new law was passed on June 18 to invalidate them. Five of these communities, including Providence, have something else in common, besides their manicured lawns and sapphire swimming pools: They were developed by Huffines Communities. The real estate company was founded by identical twin brothers with deep ties to the Republican Party in Texas — and a history of opposing choice for tenants who receive housing aid.

Under the new law, homeowners associations in Texas will be prohibited from discriminating against tenants based on their source of income. Passed after public reaction to the Providence HOA’s policy, the reform is a rare win for Texas tenants.

After the law goes into effect Sept. 1, finding these policies and making sure they are removed may be quite a challenge. The law doesn’t outline any enforcement mechanism. Chris Turner, the Democratic representative who introduced the bill, says he did not know how many HOAs had such bans in place statewide.

Even with these new tenant protections, HOAs whose developers have a long history of effectively advocating for income discrimination are already finding other ways to keep out unwanted renters. Turner acknowledged that the law does not address broader rental restrictions HOAs have applied, and said it was something that he would “look at” in the future.

These practices potentially exclude voucher holders from parts of the metro area where opportunities for upward mobility are greatest. For families with vouchers who moved out or never applied to rent in the first place, the damage of these policies cannot be easily undone; the result is to extend decades-old patterns of segregation into communities that are brand new.

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