

Attorney General Raoul, Department Of Labor Urge Illinois Appellate Court To Reject Attempt To Limit Ban On Source-Of-Income Discrimination In Housing

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CHICAGO— Attorney General Raoul and the Illinois Department of Human Rights (IDHR) today urged the Illinois Appellate Court to reject a landlord’s request to weaken the Illinois Human Rights Act’s ban on housing discrimination based on source of income.

Raoul and IDHR [filed an amicus brief](#) in Cole v. Timberbrook Realty LLC in support of a tenant who said she was evicted for using her federal Housing Choice Voucher, formerly known as a Section 8 voucher, to help pay her rent. Though the landlord claimed it did not discriminate against the tenant based on her status as a voucher holder, the landlord refused to sign a Housing Assistance Payments contract, which prevented the tenant from using her voucher to pay for her rent. A landlord cannot receive payments through the federal voucher program until it signs the contract.

“Under no circumstance should an Illinois renter be evicted because of the source of their income, and Housing Choice Vouchers are a source of income,” Raoul said. “There is no loophole in the Illinois Human Rights Act that allows landlords to turn away all voucher holders simply by refusing to sign Housing Assistance Payments contracts. I will continue to advocate on behalf of our residents who depend on housing assistance and ensure Illinois’ ban on source-of-income discrimination is enforced.”

The Illinois Human Rights Act authorizes the Illinois Attorney General to enforce its provisions in court when there is reasonable cause to believe there is a pattern of discrimination prohibited by the Illinois Human Rights Act. The act also tasks the Illinois Department of Human Rights with investigation and enforcement of the Illinois Human Rights Act, including receiving and investigating discrimination charges from individuals, filing complaints with the Illinois Human Rights Commission, and issuing regulations implementing the act.

“Illinois is grappling with an affordable housing crisis that is made worse when voucher recipients face discrimination based on their source of income. Source of income discrimination allegations are one of the most common forms of discrimination alleged in housing charges filed with our agency. Preserving this law protects access to affordable housing and individual civil rights in Illinois,” said IDHR Director Jim Bennett.

In 2023, the Illinois General Assembly amended the Illinois Human Rights Act to prohibit covered entities from discriminating on the basis of an individual’s “source of income” in real estate transactions. The tenant in this case sued her landlord under the 2023 provisions. However, the lower court sided with the landlord and said refusing to sign a Housing Assistance Payment contract is not source-of-income discrimination.

In their brief, Raoul and IDHR argue that the Illinois General Assembly amended the Illinois Human Rights Act in 2023 to forbid this behavior by landlords. For that reason, Raoul and IDHR urge the court not to add a limitation to the Illinois Human Rights Act that the General Assembly already considered and rejected.

Attorney General Raoul's Civil Rights Bureau protects the civil rights of all Illinois residents. The bureau monitors, investigates and enforces civil rights laws on behalf of the state. It also works to strengthen the state's civil rights laws and participates in community outreach programs.

Attorney General Raoul encourages Illinois residents who have concerns about civil rights violations to his Civil Rights Hotline at 877-581-3692 or to [file a complaint online](#). Individuals who wish to file a charge of discrimination under the Illinois Human Rights Act, including source of income discrimination in housing, are encouraged to visit IDHR's website at dhr.illinois.gov.