



**Rainbow Elder Care  
of Greater Dayton**

## **WRITTEN TESTIMONY TO THE SENATE JUDICIARY COMMITTEE IN SUPPORT OF SB11 (OHIO FAIRNESS ACT)**

Chair Eklund, Vice Chair Manning, Ranking Minority Member Thomas, and the members of the Senate Judiciary Committee, my name is Jerry Mallicoat. I am the board chair for Rainbow Elder Care of Greater Dayton, whose mission is to help improve the lives of older LGBT adults. I am submitting this testimony in support of Senate Bill 11, the Ohio Fairness Act.

Appropriate safe housing, stable employment and access to safe public accommodations are important social determinants of health. It is difficult for anyone to thrive without security and stability in those three aspects of one's life. Currently, lesbian, gay, bisexual and transgender (LGBT) Ohioans are not assured of safety and stability regarding those three vital aspects of living, despite being law-abiding, tax-paying citizens. In Ohio, LGBT citizens can be denied housing simply because of their sexual orientation and gender identity – just for being who they are. Likewise, with employment and public accommodations there are many situations in which LGBT Ohioans are not assured stability and safety, because they can still be fired from their jobs with many employers and denied access to services and reasonable enjoyment of public accommodations based on someone's bias against who they are or who they love and marry. This must end.

As a non-profit organization serving and advocating for older LGBT adults, Rainbow Elder Care has witnessed and been asked to provide support and guidance to people who have been thrown out of their homes or unable to find housing because they are LGBT. Consider the case of an older lesbian woman who was forced out of the home she and her partner had shared for over 25 years when the partner died, and then hostile family members sold the house from underneath her. Her partner was the bread-winner. They had lived a modest but comfortable life and then at a time in her later life when she was most vulnerable, she lost her home and, moreover -- due to discrimination and fear -- had great difficulty finding anywhere to live in senior communities where she felt safe and affirmed.

And for transgender older adults, the situation can be truly bleak, frightening and unsafe. Consider the 62-year-old transgender woman who experienced a traumatic accident during a fire that caused the loss of her home. Alienated from her family and with few friends, and after recovering in a rehabilitation facility, she had nowhere to go upon discharge. She ended up in a homeless shelter where she was harassed and sometimes forced to cohabitate with those whose gender did not match her own.

Rainbow Elder Care also encounters older LGBT adults who have been at a serious economic and financial disadvantage in their later years because of discrimination in

employment over the course of their lives. Here are some alarming statistics about LGBT people regarding the issues of housing, employment and public accommodations.

Average annual salaries that are approximately \$20,000 lower than their heterosexual counterparts.<sup>1</sup>

A higher poverty rate (21% vs. 17%) than the community at large<sup>1</sup>

40% of lesbians have income under \$30,000 per year compared to 24% of non-lgbt women.<sup>1</sup>

17% of transgender households have income less than \$10,000 per year compared with just 7% in the population at large.<sup>5</sup>

Older LGBT adults face discrimination and fear when seeking housing.<sup>2</sup>

In Ohio, almost half the time, same-sex couples experience discrimination when seeking housing.

- Discrimination can be subtle; it's not always blatant and it's not unlike redlining real estate practices against people of color.

No 1-BR apts. (except for opposite-sex couples); emphasis on move-in fees (or not waived as with opposite-sex couples), etc.

For older adults, fear drives the need to go back into the closet, according to AARP<sup>3</sup>

- 34% are concerned about the need to hide identity to access suitable housing
- 52% are afraid they will be forced to hide for long-term care
- >60% fear they will experience neglect, harassment or limited access

It is also important to remember that sexual orientation and gender identity cut across all races, socioeconomic strata, religions, and physical and mental abilities. When considering the impact of a lack of employment, housing and public accommodation, LGBT people of color (particularly women of color) and those living with disability face increased discrimination. And for transgender people, the lack of protections is more alarming. Here are a few statistics:

- African-American female same-sex/gender households have significantly lower income than male/male<sup>4</sup>  
\$47,300 vs. \$63,000  
Same-sex couples less likely to have health insurance
  - 63% vs. 79%

### **And for transgender people:**

Workplace discrimination rates have been alarming in Ohio, indicating widespread discrimination based on gender identity/expression:<sup>5</sup>

- 81% have reported experiencing harassment or mistreatment on the job
- 28% have lost a job
- 27% were denied a promotion
- 46% were not hired
- 50% experienced an adverse job action, such as being fired, not hired, or denied a promotion

Blatant housing discrimination also exists causing housing instability, much of which appears to stem from the challenges faced in employment.

- 10% evicted
- 11% denied a home/apartment
- 13% become homeless because of their gender identity/expression
- 18% must find temporary space to stay/sleep
- 25% move back in with family or friends
- 32% own their home compared to 67% of the general population

With regard to harassment and discrimination in accommodations and services:

- 50% report being verbally harassed or disrespected in a place of public accommodation or service, including hotels, restaurants, buses, airports and government agencies.

For all these reasons and more, I urge the committee members to pass SB11. I thank you for considering the information I have provided, and I would be happy to answer questions you may have.

Respectfully submitted,



Jerry L. Mallicoat  
Board Chair  
Rainbow Elder Care of Greater Dayton  
5280 Bigger Road  
Dayton, OH 45440  
937-623-7024  
lgbteldercare@yahoo.com

**References:**

<sup>1</sup> Prudential Financial Experience Study, 2016/2017

<sup>2</sup> Equal Rights Center, Opening Doors Study, 2014

<sup>3</sup> AARP Maintaining Dignity Study, 2018

<sup>4</sup> Williams Institute, 2013

<sup>5</sup> National Center for Transgender Equality, 2015