

SOME EXAMPLES OF HOUSING DISCRIMINATION:

Ms. Gonzalez, a single woman with two children, is looking for an apartment. She sees an advertisement describing a two-bedroom apartment that meets her family's needs. Ms. Gonzalez calls the listed real estate agent, who tells her that the apartment is available and invites her to come see it.

After viewing the apartment, she tells the agent that it is perfect for her family. The agent asks for proof of Ms. Gonzalez's immigration status and then tells Ms. Gonzalez that the landlord does not wish to rent to people that are not United States citizens or have lawful permanent residence status. Did the agent violate the law?

Yes, it is unlawful to refuse to negotiate for the sale, rental, or leasing of housing to people based on their citizenship or immigration status.

Mr. Kim is looking for a home and is only being shown properties in neighborhoods that are predominantly Asian. He asks his real estate agent why they are not showing him homes in other neighborhoods, and they respond that they thought he would be "more comfortable" in an Asian neighborhood. Is this against the law?

Yes. This practice is called steering. Steering contributes to racially segregated neighborhoods and is unlawful.

Gwen is a tenant in an apartment building with a "no pets" policy. Gwen has an emotional support animal (dog). She sends a letter from her medical provider to the property manager regarding her need for the dog. She does not receive a response about the letter. A month later, she receives a notice to remove the dog from her apartment. Is this discrimination?

Yes, Gwen may be entitled to keep her dog as a reasonable accommodation for her disability.

HOW TO FILE A COMPLAINT

- You can file a complaint online at dhr.ny.gov.
- You can also download a complaint form from our website. Completed complaint forms must be signed and returned to the Division by mail, email, fax, or in person.
- Stop by a Division office and file a complaint in person.
- Contact one of the Division's offices by telephone or mail to obtain a complaint form and/or receive assistance in filing a digital complaint.

For more information or to find the regional office nearest you, visit dhr.ny.gov.

For more information about fair housing, please visit dhr.ny.gov/fairhousing.



Division of
Human Rights

A Basic Guide to FAIR HOUSING Under the New York State Human Rights Law



FAIR HOUSING PROTECTS KNOWLEDGE EMPOWERS

ONE FORDHAM PLAZA
BRONX, NEW YORK 10458
1-888-392-3644
TTY: 718-741-8300
dhr.ny.gov



Housing Discrimination Is Against The Law

Under New York State's Human Rights Law, unequal treatment, bias, or harassment based on race, national origin, sexual orientation, or citizenship or immigration status is a violation of your legal rights.

These legal rights include the right to fair housing. Housing providers such as landlords and real estate salespersons cannot discriminate against housing applicants, tenants or homeowners in the sale, renting, and leasing of housing.

Housing discrimination may include steering customers of a certain race or ethnicity to specific neighborhoods, predatory lending, or biased appraisals.

For example, it is discriminatory and unlawful for a real estate salesperson or broker to only show an African American homebuyer housing in communities of color when similar homes are available in other neighborhoods and are being shown to Caucasian homebuyers with a similar budget.

In addition to **race, national origin**, or **immigration status**, the Human Rights Law also protects against housing discrimination based on the following:

- Age
- Arrest Record
- Creed
- Color
- Disability
- Domestic Violence Victim Status
- Gender Identity or Expression
- Familial Status
- Lawful Source of Income
- Marital Status
- Military Status
- Sex
- Sexual Orientation

If someone denies you housing based on one of these characteristics, it is against the law.

Who Must Follow the Law?

Anyone who sells, rents, or leases housing must follow the Human Rights Law. This includes owners, tenants, subtenants, managing agents, real estate brokers, real estate agents, and agents and employees of the above persons.

What Housing Is Covered?

The Human Rights Law applies to nearly all housing accommodations. Exceptions include:

- Rental units in two-family homes occupied by the owner.
- Rentals in rooming houses occupied by the owner or member of the owner's family.

It is important to remember that although the Human Rights Law does not apply to these housing accommodations, local fair housing laws may apply.

Do Not Fear Retaliation!

It is against the law to retaliate against someone for filing a complaint of discrimination or for opposing practices that are discriminatory. Retaliation claims can be filed as separate and independent complaints.

What Is Prohibited?

The Human Rights Law makes it unlawful to discriminate while selling, renting, or leasing housing because of a protected characteristic.

A housing provider violates the law by:

- Refusing to sell, rent, or lease housing.
- Discriminating in the terms, conditions, or privileges in the sale, rental, or leasing of housing.
- Discriminating in providing facilities or services concerning the sale, rental, or leasing of housing.

- Printing or circulating a statement, advertisement, or publication expressing a limitation, specification, or discrimination in the sale, rental, or leasing of housing.
- Using a housing application that expresses any limitation, specification, or discrimination in the sale, rental, or leasing of housing.
- Making any record or inquiry concerning a housing accommodation's prospective purchase, rental, or lease that expresses any limitation, specification, or discrimination. The Human Rights Law also does not allow discrimination or retaliation against someone for helping to enforce the law.

The Human Rights Law adds additional obligations to real estate brokers, salespeople, and their employees. **Specifically, it is against the law for them to:**

- Refuse to negotiate the sale, rental, or leasing of housing.
- State that housing is not available for sale, rental, or lease when available.
- Treat a person differently after asking questions about race, citizenship status, language spoken, or ethnicity.

What About Lending and Appraisals?

The Human Rights Law also prohibits discrimination in home appraisals and both bank and non-bank lending, including real estate lending.

If you believe you have experienced unlawful discrimination, you can file a complaint with the Division of Human Rights.

For acts of discrimination occurring on or before 2/14/2024, you must file a complaint within one year of the most recent act. For acts on or after 2/15/2024, you may file a complaint within three years of the alleged discrimination.