

Dear New Yorker,

Several communities in New York State have enacted “source of income” laws to protect the rights of New Yorkers who pay for housing using income from social security, public assistance, or housing vouchers such as Section 8. If you live in one of these communities and believe that a landlord is discriminating against you based on your lawful source of income, you may have some recourse.



My office is committed to ensuring that all our residents receive fair treatment when applying or paying for housing. If you have any questions or concerns, please do not hesitate to contact our Civil Rights Bureau.

Sincerely,

A handwritten signature in black ink that reads "Barbara D. Underwood". The signature is fluid and cursive, with a long horizontal line extending to the right.

Barbara D. Underwood

Filing a Complaint

Office of the NYS Attorney General investigates and prosecutes discriminatory policies, and patterns or practices of discrimination.

Civil Rights Bureau 212-416-8250
www.ag.ny.gov
civil.rights@ag.ny.gov

NYS Division of Human Rights handles individual complaints of discrimination.
1-888-392-3644
www.dhr.ny.gov

Local Fair Housing Protections:

SOURCE OF INCOME DISCRIMINATION



New York State Attorney General
The State Capitol
Albany, New York 12224
800-771-7755
Civil Rights Bureau 212-416-8250
www.ag.ny.gov

Source of Income

Source of income discrimination is often directed at those whose lawful livelihoods come from sources other than a paycheck, including social security or any form of federal, state or local public assistance, or child support. Several cities and counties in New York State have passed laws prohibiting discrimination in housing based upon a person's legal and verifiable income. In these localities, a housing provider may **NOT** refuse to accept any lawful source of income, including housing vouchers or any form of government assistance.

Some examples of illegal discrimination include:

- Refusing to rent, sell, or negotiate for housing because of a tenant's lawful source of income;
- Making housing unavailable for prospective tenants with housing vouchers, or refusing to accept vouchers from current tenants;
- Setting different terms or conditions or providing unequal services;
- Advertisements that express limitations as to the source of income of potential tenants.

Protections in Local Laws

Buffalo

- Applies to all buildings, except owner-occupied buildings with 3 or fewer units, or in shared spaces.

Hamburg

- Applies to all buildings, except owner-occupied buildings with 2 or fewer units.

Nassau County

- Applies to all buildings, except owner-occupied buildings with 2 or fewer units.
- Applies to all housing agents, including real estate brokers.

New York City

- Applies to all buildings, except those with 5 or fewer units.
- Applies to all housing agents, including real estate brokers.

Suffolk County

- Applies to all buildings, except those with 2 or fewer units, unless the landlord owns three or more units in Suffolk County.

Syracuse

- Applies to all buildings, except: 1) those with 2 or fewer units, in which the landlord resides or 2) to the rental of a room or rooms in a housing accommodation, in which the landlord resides.
- Applies to all agents of housing accommodations, including real estate brokers.
- Allows aggrieved individuals to sue for damages or other remedies as may be appropriate.

Westchester

- Applies to all buildings, except cooperative apartments, condominiums, any housing accommodations already exempted from the Fair Housing Law, and any building with 6 or fewer units.
- Applies to all housing agents, including real estate brokers.

West Seneca

- Applies to all buildings, with no exceptions.

Potential Remedies and Landlord Penalties

If housing providers are found to have discriminated on the basis of source of income, they may be required to:

- Change rental policies and practices to require acceptance of housing vouchers;
- Make rental units available to prospective tenants who have been rejected based on source of income; and
- Pay money damages, attorney fees, and/or civil fines and penalties.

If you have questions or believe you have been a victim of source of income discrimination. Contact the Office of the Attorney General, Civil Rights Bureau, or the NYS Division of Human Rights. You can find contact information on the back of this brochure.