

**Dear New Yorkers,**

Whether you live in a city, suburb or rural community; finding safe, affordable housing can be a challenge. Fortunately, our laws protect your right to choose where to live without discrimination based on race, religion, sex or a number of other characteristics.

Federal and New York State laws exist to ensure that equal housing opportunities are available to all. Some local governments offer even more protections. This brochure explains some of those laws and includes information about what to do if you believe a landlord, seller or lender has discriminated against you. Housing is one of life's essentials; it is important that everyone has access to it, free from discrimination. If you have any questions or concerns, please contact my office.

Sincerely,



Attorney General  
of New York  
**Letitia James**

## Resources

### **Office Of the New York State Attorney General, Civil Rights Bureau**

28 Liberty Street  
New York, NY 10005  
(212) 416-8250  
(800) 788-9898 (TDD)  
ag.ny.gov

### **New York State Division of Human Rights**

One Fordham Plaza, 4th Floor  
Bronx, NY 10458  
888-392-3644  
(718) 741-8300 (TDD/TTY)  
dhr.ny.gov

### **U.S. Department of Housing and Urban Development, Fair Housing Enforcement Center**

26 Federal Plaza, Room 3541  
New York, NY 10278-0068  
(212)264-8000  
(212) 264-0927 (TTY)  
hud.gov

### **New York City Human Rights Commission**

22 Reade Street, First Floor  
New York, NY 10007  
(212) 306-7450  
nyc.gov/humanrights

# Fair Housing

Accessible Housing  
for Everyone



Office of the New York State  
Attorney General

**Letitia James**



## **Fair Housing Laws:**

### **How We Are Protected**

The federal Fair Housing Act, the New York State Human Rights Law, and various local laws, prohibit discrimination by housing providers (including owners, real estate agents, managing agents, building superintendents, cooperative and condominium boards), and lenders (banks and mortgage companies).

- The Federal Fair Housing Act makes it illegal to discriminate on the basis of a person's race, familial status (presence of children under age 18), color, national origin, religion, disability (physical or mental), or sex.
- The NYS Human Rights Law covers all the same characteristics, but also protects against discrimination based on creed, age, sexual orientation, gender identity or expression, marital status, military status, or lawful source of income (public or housing assistance, social security, supplemental security income, pension, child support, alimony, foster care subsidies, annuities or unemployment benefits).

Many local governments, have additional protections. The New York City Human Rights Law also covers: gender, citizenship status, partnership status, or lawful occupation.

### **Most Housing Is Included**

In New York State, anti-discrimination laws cover most types of housing, with four main exceptions:

- One- or two-family owner-occupied buildings;
- Room rentals in housing for individuals of the same sex, such as college dormitories or boarding houses where all residents are of the same sex;
- Housing intended for people over the age of 55, or over the age of 62; and
- Room rentals in owner-occupied housing.

## **Prohibited Actions**

These laws apply to the sale or rental of housing and also to mortgage lending and provide protections against different forms of housing discrimination including the following:

- Refusing to rent, sell, finance, insure or negotiate for housing;
- Making housing unavailable;
- Setting different terms or conditions, or providing unequal services;
- Printing or circulating a discriminatory advertisement;
- Refusing to make or provide information for a loan, or imposing different terms or conditions; or
- Harassing, threatening, intimidating, or coercing anyone, including sexual harassment.

## **Persons Living with a Disability Are Protected**

Under the fair housing laws, a landlord may not:

- Refuse to make reasonable modifications to a dwelling or common use area to accommodate a person's disability;
- Refuse to make reasonable accommodations in policies or services if necessary for the person living with a disability to use the housing; or
- In addition, any multifamily housing built after 1991 must comply with accessibility requirements

## **Repairing the Damage**

If it is found that discrimination has taken place, steps may be taken to remedy the situation.

These can include:

- Requiring changes in policies and practices;
- Making the housing or loan available;
- Assessing money damages and/or attorney fees; or Imposing civil fines and penalties.

## **Filing a Complaint**

If you have questions or believe you have been a victim of housing discrimination, the following agencies may be able to help. You can find contact information for each on the back of this brochure.

- The New York State Attorney General's Civil Rights Bureau investigates and prosecutes discriminatory policies, and patterns or practices of discrimination. The Bureau is committed to combating housing discrimination throughout the State of New York.
- The New York State Division of Human Rights handles individual complaints of discrimination. You have one year after an alleged violation to file a complaint.
- The U.S. Department of Housing and Urban Development (HUD) handles individual complaints of discrimination based on the federal Fair Housing Act. You have one year after an alleged violation to file a complaint.
- The New York City Commission on Human Rights (CCHR) handles individual complaints of discrimination based on the New York City Human Rights Law.
- You have one year after an alleged violation to file a complaint. You are precluded from filing a claim with CCHR if you have already filed the same claim based on the same facts with another agency or in court.