

Dear New Yorkers,

New York State has 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 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,



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

civil.rights@ag.ny.gov
ag.ny.gov/bureau/civil-rights
(212) 416-8250

Hotline:
(800) 771-7755

Hearing Impaired:
(800) 788-9898

Complaint Form:
ag.ny.gov/source-income-discrimination-form

NY State Division of Human Rights

One Fordham Plaza, 4th Floor
Bronx, NY 10458

Find regional offices at:
dhr.ny.gov

(718) 741-8400

Source of Income Discrimination

Local Fair Housing Protections



Office of the New York State
Attorney General
Letitia James



On April 12, 2019, New York State amended the New York State Human Rights Law to protect all New Yorkers from discrimination based on lawful source of income. This law applies to nearly all types of housing in New York State.

The law states that it is illegal for anyone to deny you housing based on the type of lawful income you receive.

Source of income discrimination is often directed at those whose lawful income comes from sources other than a paycheck, including Social Security payments, any form of government assistance, or child support.

The New York State Attorney General's Office investigates and enforces lawful source of income protections. If you believe that you have been discriminated against based on lawful source of income, you can file a complaint online at ag.ny.gov/source-income-discrimination-form.

The following sources of income are protected under the law:

- any form of federal, state, or local public assistance (such as cash assistance);
- any form of federal, state, or local housing assistance (such as Section 8 vouchers);
- child support;
- alimony;
- foster care subsidies;
- Social Security or Supplement Security Income (SSI); or
- any other form of lawful income or government assistance

Most properties are included in the April 2019 amendments to the New York State Human Rights Law. The only exceptions are:

- One- or two-family homes occupied by the owner;
- Room rentals in properties for individuals of the same sex, such as college dormitories or boarding houses where all residents are of the same sex; and
- Housing intended for seniors.

Anyone attempting to rent or sell a housing unit can be accountable for discrimination; this includes owners, management companies, brokers, realtors, coop boards and condo associations. Types of discriminatory behavior may include:

- Listings or advertisements that use phrases such as “no Section 8/no DSS/no SSI,” “no payment programs,” or “apartment has not yet been approved for any vouchers subsidies”;
- Refusing to rent, sell or otherwise deny housing based on use of legal sources of income; or
- Providing different terms or privileges, or denying the use of facilities to residents based on source of income, such as a rooftop patio that is available to all residents except those with a voucher.

Discriminatory behavior may occur in ways that are difficult to perceive. The following examples may also be evidence of source of income discrimination:

- A landlord refuses to include a household member's Social Security income when calculating eligibility for an apartment;
- A broker steers a potential tenant to less desirable apartments upon learning that the tenant intends to pay with a rental assistance voucher;
- A broker insists that a potential tenant provide proof of employment in order to apply for an apartment; or
- A landlord raises the rent advertised because of your source of income.

Additional information and documentation can help us to investigate your source of income discrimination complaint. Some examples of helpful documentation or information to include with your complaint, if available, are:

- Screenshots or pictures of advertisements, listings, or housing applications that reference discrimination based on source of income;
- Emails, texts, or other written communication with an owner, broker, or agent that includes source of income discrimination; or
- The name, company, and job title of anyone you speak to that uses discriminatory language.

In addition to filing a complaint with the New York State Attorney General's Office, you can also file a complaint with the New York State Division of Human Rights at dhr.ny.gov.