

## Fair Housing Laws: How We Are Protected

Federal, state and local fair housing laws work to ensure that all individuals have equal housing opportunities. The federal Fair Housing Act, the New York State Human Rights Law, and various local laws, such as the New York City Human Rights Law, prohibit discrimination by housing providers (including owners, real estate agents, managing agents, building superintendants, cooperative and condominium boards) and lenders (including 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 New York State Human Rights Law covers all the same characteristics, but also protects based on creed, age, sexual orientation, marital status or military status.

Many local governments, including New York City, have additional protections. The New York City Human Rights Law covers: gender, citizenship status, partnership status, gender identity, lawful occupation, lawful source of income (including public assistance or housing assistance, social security, supplemental security income, pensions, annuities, or unemployment benefits).

Buffalo, Hamburg, West Seneca, and Nassau County also prohibit source of income discrimination.

## Most Housing Is Included

In New York State, antidiscrimination laws cover most housing, with three main exceptions:

- One or two family owner-occupied buildings;
- Room rentals in housing for individuals of the same sex; and
- Room rentals in owner-occupied housing.

## Prohibited Actions

These laws apply to the sale or rental of housing and also to mortgage lending. They cover some very specific actions. Here are some typical examples:

- 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;
- Harassing, threatening, intimidating, or coercing anyone, including sexual harassment.

## Those with Disabilities 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 disabled person to use the housing.

In addition, any multifamily housing built after 1991 must comply with accessibility requirements to ensure that public and common use areas and units are accessible for people with disabilities.

## Repairing the Damage

If it's found that discrimination has taken place, the laws direct that 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;
- 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 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 based on the federal Fair Housing Act, the New York State Human Rights Law, and other fair housing laws. 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 with the New York State Division of Human Rights.

- 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 with HUD.



New York State Attorney General  
Eric T. Schneiderman



Dear New Yorkers,

Upstate and downstate, in cities, suburbs and rural communities, finding safe, affordable housing can be challenging.

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 for all New Yorkers. 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 don't hesitate to contact my office.

Sincerely,

Eric T. Schneiderman

New York State Attorney General  
The State Capitol  
Albany, New York 12224  
1-800-771-7755  
[www.ag.ny.gov](http://www.ag.ny.gov)



## RESOURCES

### Office of the Attorney General Civil Rights Bureau

120 Broadway  
New York, New York 10271  
212-416-8250 (voice)  
800-788-9898 (TDD)  
[civil.rights@ag.ny.gov](mailto:civil.rights@ag.ny.gov)  
[www.ag.ny.gov](http://www.ag.ny.gov)

### New York State Division of Human Rights

One Fordham Plaza, 4th Floor  
Bronx, New York 10458  
718-741-8300 (voice)  
718-741-8300 (TDD)  
[www.dhr.state.ny.us](http://www.dhr.state.ny.us)

### U.S. Department of Housing and Urban Development

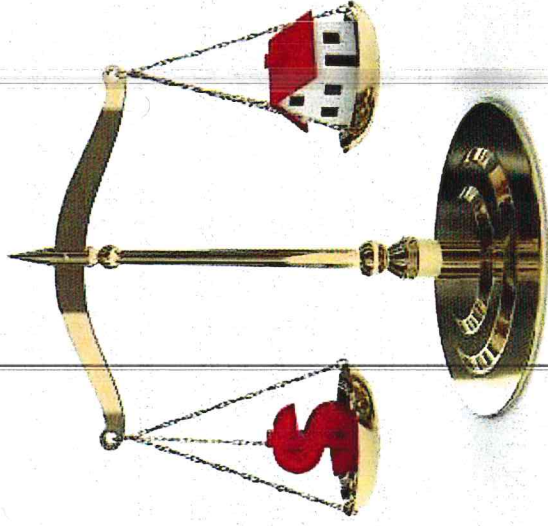
Fair Housing Enforcement Center  
26 Federal Plaza, Room 3532  
New York, NY 10278-0068  
212-264-1290  
212-264-0927 (TTY)



NEW YORK STATE OFFICE  
of the  
ATTORNEY GENERAL



# FAIR HOUSING



Civil Rights Bureau