Long Island Housing Services, Inc.  
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LIFairHousing.org/li50fha  
Protecting Civil Rights for Long Islanders since 1969

WHAT IS FAIR HOUSING?

It is U.S. Policy and Law to promote equitable housing choice and eliminate segregation.

What does the federal FAIR HOUSING ACT Prohibit?

It is against the law because of race, color, national origin, sex, religion, familial status or handicap to:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable or deny that housing is available
- Set different terms, condition, or privileges for the sale or rental of housing
- Advertise that housing is available only to persons of a certain race, color, national origin, religion, sex, or without handicap or children. This includes verbal statements and graphic ads indicating preference or limitation
- Deny anyone access to or membership in any real estate service such as multiple listing services
- Blockbust - an unlawful tactic used in neighborhoods undergoing racial or ethnic change used by real estate agents or speculators approaching existing homeowners to frighten them into selling their home quickly and cheaply, so a greater profit will be realized on the resale
- Steer - the attempt to direct racial or ethnic classes to specific areas in an effort to maintain segregated living patterns
- Redline - Lenders and insurance companies exclude geographic areas by refusing to make loans or issue insurance policies in certain neighborhoods because of the racial or ethnic composition of the area, regardless of the economic qualifications of the borrower or (prospective) homeowner
- Deny or create different terms or conditions for a mortgage, home loan, insurance, or other “real estate related transaction”
- Threaten, coerce, or intimidate anyone exercising a fair housing right or assisting others in exercising those rights

What Housing is covered by the FAIR HOUSING ACT?

- Single family homes owned by private persons when a real estate broker and/or discriminatory advertising is used to sell or rent the home
- Single family homes not owned by private persons (such as corporations or partnerships) even if a broker is not used to sell or rent the home
- Multifamily dwellings with five or more units including rooming houses
- Multifamily dwellings with four or less units, if the owner does not live in one of the units

What does New York State HUMAN RIGHTS LAW Prohibit?

New York State’s Human Rights Law is also known as NYS Executive Law, Article 15, Section 296. It exempts 2-family owner-occupied housing. However, federal law protection may still apply.

NYS Human Rights Law covers commercial space and land, terms, advertisements, real estate activities, and credit. In addition to the protected classes defined in the Fair Housing Act, the NYS Human Rights Law also prohibits discrimination based on:

- Marital status
- Sexual orientation
- Gender Identity or Expression
- Source of Income (Including W2, 1009, public assistance, Section 8, SSD, SSI, child support)
- Arrest (Includes Arrest includes favorably resolved arrest, an adjournment in contemplation of dismissal (ACOD), and a sealed conviction record, or a youthful offender adjudication.)
- Age (18 and older)
- Military status
- Creed

What does County HUMAN RIGHTS LAW Prohibit?

In addition to the protective laws described above, Suffolk County also prohibits discrimination based Veteran Status, Status as a Victim of Domestic Violence, or Group Identity. (Group Identity includes actual or perceived age, alienage or citizenship status, gender, sexual orientation, and military status.) Nassau County also prohibits discrimination based Veteran Status and Ethnicity.

Contact Long Island Housing Services for information related to enhanced enforcement provisions of the counties’ local laws or to consult about disparate impact. Reporting these violations is urged as a way to document the enforcement need in such cases and promote change.

A 501(c)(3), not-for-profit, fair housing agency

Our mission is the elimination of unlawful housing discrimination and promotion of decent and affordable housing through advocacy and education.

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