

Protections for Victims/Survivors of Domestic Violence Against Housing Discrimination

Know Your Rights

The New York City Commission on Human Rights is a resource to help you understand your rights under the New York City Human Rights Law. This document provides information regarding new protections for tenants and individuals seeking housing who are victims/survivors of domestic violence, sex offenses, or stalking.

Starting July 26, 2016, the New York City Human Rights Law will protect you from being treated differently when you are looking for an apartment, applying for housing, or residing as a tenant because you are a:

Victim/Survivor of Domestic Violence, which means a person subject to acts or threats of violence in a manner constituting a crime under criminal law, by

- a current or former spouse;
- a person with whom the victim/survivor shares a child in common;
- a person who is living with or has lived with the victim/survivor;
- a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim/survivor; or
- a person who is or has continually or at regular intervals lived in the same household as the victim/survivor;

or Victim/Survivor of Sex Offenses or Stalking, as defined under the criminal law.

You cannot be discriminated against by landlords, real estate brokers, or agents because you are a victim/survivor of domestic violence, sexual offenses, or stalking.

What is discrimination on the basis of domestic violence status in housing?

This type of discrimination occurs when a landlord, broker, or agent treats you differently because of your experience as a victim/survivor of domestic violence, sex offenses, or stalking, which may involve:

- Refusing to rent to you because you have an order of protection against your former spouse;
- Refusing to make repairs or provide services to the apartment because you are a victim/survivor of domestic violence;
- Forcing you to vacate an apartment because the landlord or other tenants have concerns related to your experience as a survivor of domestic violence, sex offenses, or stalking;
- Refusing to accept government rental assistance regularly provided to victims/survivors of domestic violence because of fears you or your family will create a nuisance.

Who is protected?

You are protected if you live in or are seeking to live in New York City, regardless of your immigration status. You are protected if you live in or are seeking to live in any housing accommodation in New York City EXCEPT:

- Two-family homes where the owner or a member of the owner's family resides in that house and the available housing accommodation was not advertised;

OR

- A room or rooms in housing where the owner or the owner's family also resides.

What is prohibited?

- A landlord, broker, or agent cannot refuse to show you an apartment because of your status as a victim/survivor of domestic violence, sex offenses, or stalking.
- A landlord, broker, or agent cannot require different terms and conditions in the lease because of your status as a victim/survivor of domestic violence, sex offenses, or stalking.
- A landlord cannot treat you differently in providing services to your apartment because of your status as a victim/survivor of domestic violence, sex offenses, or stalking.
- A landlord cannot require that you vacate an apartment because of your status as a victim/survivor of domestic violence, sex offenses, or stalking.

What should I do if I believe a landlord, broker, or agent did not follow the rules described here?

Call **311** and ask for the **Commission on Human Rights**. You can leave an anonymous tip, or you can file a complaint about what happened to you. If the landlord, broker, or agent is found to have broken the law, you may be able to obtain housing, get other damages, and the housing provider may have to pay a fine.

The NYCHRL also prohibits discrimination on the basis of an individual's status as a victim/survivor of domestic violence, sex offenses, or stalking in employment and requires employers to provide victims/survivors of domestic violence, sex offenses, or stalking with reasonable accommodations in the workplace.

To learn more and sign up for a free workshop on your rights as a tenant under the New York City Human Rights Law, visit **[NYC.gov/HumanRights](https://nyc.gov/HumanRights)**.