

What's Fair Housing?

All New Yorkers deserve fair and equal access to housing. The NYC Human Rights Law prohibits discrimination in private and public housing, land, and commercial spaces in New York City. This means that any person selling, renting, or leasing—including landlords, superintendents, building managers, brokers, and realtors—cannot discriminate because of a person's actual or perceived protected status under the law.

IT IS UNLAWFUL TO:

- Refuse to sell, rent, or lease housing
- Require additional payments, or charge a higher rent, security deposit, or additional fees
- Post advertisements limiting the type of tenant or stating a refusal to accept a certain type of tenant
- Fail to make adequate repairs for, or provide equal services to, certain tenants
- Refuse to accept government-provided rental assistance

BASED ON ACTUAL OR PERCEIVED PROTECTED STATUS:

- Age
- Race
- Color
- Creed/Religion
- National Origin
- Gender
- Source of Income (using government-provided rental assistance such as Section 8, LINC, or FEPS or any form of public assistance including Cash Assistance and Social Security Income towards rent)
- Occupation
- Immigration Status
- Presence of Children
- Status as a Victim of Domestic Violence, Sexual Violence or Stalking (as of 7/26/16)
- Gender Identity
- Disability
- Pregnancy
- Sexual Orientation
- Marital or Partnership Status



THERE'S NO ROOM FOR HOUSING DISCRIMINATION IN NYC

FAIR HOUSING.

**It's Your Right.
It's Your Responsibility.
It's the Law.**



**Commission on
Human Rights**
CARMELYN P. MALALIS
Commissioner/Chair

**Housing Preservation
and Development**
VICKI BEEN
Commissioner

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#FairHousingNYC



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REAL LIFE SCENARIOS TO HELP YOU IDENTIFY DISCRIMINATION

5 THINGS EVERY TENANT SHOULD KNOW ABOUT FAIR HOUSING IN NYC

- 1 A landlord cannot refuse to offer a lease, charge higher rent, ask for additional fees, offer different amenities or services, or refuse repairs** because of your protected status (See table in “What’s Fair Housing?” section).
- 2 You have the right to request a reasonable accommodation for your disability. In most circumstances, the landlord must pay for the accommodation unless doing so would cause an undue hardship.** A reasonable accommodation could be, for example, a physical change to the building or your apartment, or changes to a building’s policies in order to allow you to keep your emotional support animal.
- 3 You have the right to see all available housing.** You cannot be limited or steered to a particular area, neighborhood, or apartment. For example, a landlord or broker cannot say that an apartment is “only for families” or that it “won’t work” because the prospective tenant has a disability.
- 4 Landlords have to accept your government-provided rental assistance.** If you receive Section 8, LINC, HASA, SSI/SSDI, or other public assistance, a landlord who owns a building with six or more units must accept that rental assistance.
- 5 You have the right to be free from harassing or threatening behavior or comments** based on your protected status, including from other tenants (See table in “What’s Fair Housing?” section).

If you believe you have been discriminated against, call 311 and ask for the NYC Commission on Human Rights.

5 THINGS EVERY LANDLORD/PROPERTY MANAGER/BROKER SHOULD KNOW ABOUT FAIR HOUSING IN NYC

- 1 You cannot refuse to rent, charge higher rent, impose additional fees, offer different services or access to facilities, or fail to make repairs** based on any resident’s protected status under the law. (See table in “What’s Fair Housing?” section).
- 2 It is illegal to post advertisements or make other declarations stating or implying that tenants who have a protected status will not be accepted.** For example, ads stating “no voucher” or “no children” are a violation of the law.
- 3 You must provide and, in most circumstances, pay for a reasonable accommodation for a tenant with a disability** at their request if it does not, in most circumstances, pose an undue hardship.
- 4 In a building with 6 or more units, you must accept all government-provided rental assistance from a current or prospective tenant.** You cannot refuse any forms of government-provided rental assistance.
- 5 Train your employees on the Law.** You are legally responsible for what your employees and agents, including superintendents, maintenance workers, brokers, and salespeople, say and do on your behalf. Make sure your employees and agents know the fair housing laws and how to comply with them.

If you would like to attend a free workshop on the NYC Human Rights Law, call 311 and ask for the NYC Commission on Human Rights.

Scenario #1

A new landlord tries to get a family of immigrants who live in the building to move by telling the family that potential police activity in the building could bring the threat of deportation. Exploiting tenants’ vulnerability due to immigration status is a violation of the NYC Human Rights Law.

Scenario #2

An advertisement on Craigslist lists a two-bedroom apartment for rent in a building that has six units. John contacts the broker to inquire about the apartment and says that he has a Section 8 voucher for a two-bedroom. The broker says, “Sorry. We don’t take Section 8.” It is a violation of the NYC Human Rights Law to refuse to lease to a tenant because they will be paying rent with government-provided rental assistance.

Scenario #3

Lucy has a disability that causes severe anxiety and panic attacks, but her episodes are greatly reduced when she cares for her brother’s dog. Lucy’s doctor recommends that she get an emotional support animal, but when she asks her landlord, who has a no-pet policy, the landlord refuses and threatens to fine her. The NYC Human Rights Law requires landlords to provide reasonable accommodations for tenants with disabilities who request them unless the accommodation causes an undue hardship.