

Protections for Victims/Survivors of Domestic Violence Against Housing Discrimination

Know Your Obligations

The New York City Commission on Human Rights is a resource to help you conform your practices to comply with 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, it is a violation of the New York City Human Rights Law to treat tenants or applicants seeking to buy or rent housing differently because of their status as a victim/survivor of domestic violence, sex offenses, or stalking.

Who is protected?

Any person living in or seeking a housing accommodation in New York City who is 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.

What kinds of housing are covered?

- Nearly all types of housing accommodations in New York City are covered under this law. The only exceptions are:
 - 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.

This means that all owners, lessors, lessees, sublessees, assignees, managing agents, or other persons with the right to sell, rent, or lease (or approve the sale, rental, or lease) of a housing accommodation, and their agents or employees, must comply with the law.

What is prohibited?

You cannot:

- Refuse to sell, rent, or lease housing because someone is a victim/survivor of domestic violence, sex offenses, or stalking;

- Misrepresent the availability of housing because someone is a victim/survivor of domestic violence, sex offenses, or stalking;
- Force a victim/survivor of domestic violence, sex offenses, or stalking to vacate an apartment;
- Set different terms, conditions, or privileges for the sale, rental, or lease of housing (including charging additional fees or requiring a higher security deposit) because someone is a victim/survivor of domestic violence, sex offenses, or stalking;
- Provide different housing services or facilities to a victim/survivor of domestic violence, sex offenses, or stalking than to another member of the public.

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 responsibilities as housing provider under the New York City Human Rights Law, visit [NYC.gov/HumanRights](https://nyc.gov/HumanRights).