

Fair Housing – It's the Law

It is important to understand the basic rights provided to you under fair housing laws. The premise of fair housing is simple: everyone has the legal right to live anywhere they want (and can afford) to live. Fair housing laws apply to both individuals and families regardless of if they are Voucher Holders or paying market rates.

The Federal Fair Housing Act prohibits discrimination based on race, color, sex, national origin, religion, disability or familial status. These are considered "Protected Classes".

Both New York State and Westchester County have enacted their own fair housing laws, which, with some exceptions, prohibit landlords from discriminating based on source of income. These laws include government assistance as a source of income, making it illegal to deny housing to a potential tenant solely because they will utilize Housing Choice Voucher to afford the apartment.

To report source of income discrimination to Westchester County, call the Westchester County Human Rights Commission at (914) 995-9500.

To report source of income discrimination to New York State, call the New York State Division of Human Rights at (914) 829-3120. You can also find a copy of NYS DHR's Housing Discrimination Complaint Form online at <https://dhr.ny.gov/complaint>.

Fair housing laws do not prevent owners from declining to rent their available units to you. Owners can set up non-discriminatory screen processes. A screening process may include:

- Checking credit history and references
- Conducting criminal background checks
- Filling out a thorough application form

Fair housing laws prevent members of protected classes from being screened differently. For example, a property owner cannot mandate that members of a protected class meet a certain credit score threshold without setting the same standards for all potential tenants. However, if their standard, legal and non-discriminatory, screening process uncovers information that indicates you have a history of not paying your rent or damaging your apartments, they may decline renting to you.

Fair housing is your legal right. If you are denied your housing rights, you may be experiencing housing discrimination. *Under the Fair Housing Act, it is generally against the law for landlords to:*

- Refuse to rent housing to you because you are a member of a protected class
- Tell you housing is not available when it is
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse and HIV/AIDS-related illnesses
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with fair housing rights

To report housing discrimination under the Federal Fair Housing Act, call the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development (HUD) at (800) 496-4294. You may also file a complaint online at https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint. HUD also maintains a Housing Discrimination Hotline at (800) 669-9777.

You directly reach the New York Regional HUD Office at:



New York Regional Office of FHEO
26 Federal Plaza, Room 3532
New York, NY 10278
(212) 542-7519 / TTY (212) 264-0927
Complainstoffice02@hud.gov

