

Section 100.75 Discriminatory advertisements, statements and notices.

- (a) It shall be unlawful to make, print, or publish, or cause to be made printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling which indicates any preference, limitation or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation or discrimination.
- (b) The prohibitions in this section shall apply to all written or oral notices or statements by a person engaged in the sale or rental of a dwelling. Written notices and statements include any applications, flyers, brochures, deeds, signs, banners, posters, billboards or any documents used with respect to the sale or rental of a dwelling.
- (c) Discriminatory notices, statements and advertisements include, but are not limited to:
- (1) Using words, phrases, photographs, illustrations, symbols or forms which convey that dwellings are available or not available to a particular group of persons because of race, color, religion, sex, handicap, familial status, or national origin of such persons.
 - (2) Expressing to agents, brokers, employees, prospective sellers or renters or any other persons a preference for or limitation on any purchaser or renter because of race, color, religion, sex, handicap, familial status, or national origin of such persons.
 - (3) Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of race, color, religion, sex, handicap, familial status, or national origin.
 - (4) Refusing to publish advertising for the sale or rental of dwellings or requiring different charges or terms for such advertising because of race, color, religion, sex, handicap, familial status, or national origin.
- (d) 24 CFR Part 109 provides information to assist persons to advertise dwellings in a nondiscriminatory manner and describes the matters the Department will review in evaluating compliance with the Fair Housing Act and in investigating complaints alleging discriminatory housing practices involving advertising.

Re: Section 804. (C) of the Fair Housing Amendments Act of 1988–42 U.S.C. 3604 (C)

See reverse for related NYS Human Rights Law excerpt

Please call toll-free to Long Island Housing Services, Inc. (LIHS): 1-800-660-6920 for information or to report suspected discrimination. LIHS is the private, not-for-profit, qualified Fair Housing advocacy and enforcement agency serving Nassau and Suffolk. Visit www.LIFairHousing.org

Excerpts from NYS Executive Law
Article 15, Section 296.5. (a)(3) and 296.6
NYS Human Rights Law (as amended through July 1, 2003)

Nassau County Law – SOI* See Below

5. (a) It shall be an unlawful discriminatory practice for the owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation, constructed or to be constructed, or any agent or employee thereof:
- (3) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, or familial status, or any intent to make any such limitation, specification or discrimination.

Exemptions: The provisions of this paragraph (a) shall not apply:

- (1) to the rental of a housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other, if the owner or members of the owner's family reside in one of such housing accommodations.
- (2) to the restriction of the rental of all rooms in a housing accommodation to individuals of the same sex or
- (3) to the rental of a room or rooms in a housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and the owner or members of the owner's family reside in such housing accommodation or
- (4) solely with respect to age and familial status to the restriction of the sale, rental or lease of housing accommodations exclusively to persons sixty-two years of age or older, and the spouse of any such person, or for housing intended and operated for occupancy by at least one person fifty-five years of age or older per unit. In determining whether housing is intended and operated for occupancy by persons fifty-five years of age or older, Sec. 807(b)(2)(C) (42 U.S.C. 3607(b)(2)(C)) of the Federal Fair Housing Act of 1988, as amended, shall apply.

296.6. It shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this article, or to attempt to do so.

***Nassau County Human Rights Law, as amended effective 1/07 (Local Law 9-2006 Sec. 21-9.7.)**

Please note Nassau prohibits "**Source of Income**" discrimination in housing, defined to mean any lawful source of income, including federal, state, local, non-profit assistance or subsidy program. This law also allows for a **private right or "civil cause of action"** related to housing. (See Title C-1 Open Housing, Section 21-9.7 e.) *See reverse*

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