



WHAT IS FAIR HOUSING?

It is U.S. Policy and Law to promote equitable housing choice and eliminate segregation.

What does the federal FAIR HOUSING ACT Prohibit?

It is **against** the law because of **race, color, national origin, sex, religion, familial status or handicap** to:

- ☐ Refuse to **rent** or **sell** housing
- ☐ Refuse to **negotiate** for housing
- ☐ Make housing **unavailable** or **deny** that housing is available
- ☐ Set **different** terms, condition, or privileges for the sale or rental of housing
- ☐ Advertise that housing is available only to persons of a **certain** race, color, national origin, religion, sex, or without handicap or children. This includes verbal statements and graphic ads indicating preference or limitation
- ☐ Deny anyone **access** to or **membership** in any real estate service such as multiple listing services
- ☐ **Blockbust** - an unlawful tactic used in neighborhoods undergoing racial or ethnic change used by real estate agents or speculators approaching existing homeowners to frighten them into selling their home quickly and cheaply, so a greater profit will be realized on the resale
- ☐ **Steer** - the attempt to direct racial or ethnic classes to specific areas in an effort to maintain segregated living patterns
- ☐ **Redline** - Lenders and insurance companies exclude geographic areas by refusing to make loans or issue insurance policies in certain neighborhoods because of the racial or ethnic composition of the area, regardless of the economic qualifications of the borrower or (prospective) homeowner
- ☐ **Deny** or create **different** terms or conditions for a mortgage, home loan, insurance, or other "real estate related transaction"
- ☐ **Threaten**, coerce, or intimidate anyone exercising a fair housing right or assisting others in exercising those rights

What Housing is covered by the FAIR HOUSING ACT?

- ☐ Single family homes owned by private persons when a **real estate broker** and/or **discriminatory advertising** is used to sell or rent the home
- ☐ Single family homes **not owned by private persons** (such as **corporations** or **partnerships**) even if a broker is not used to sell or rent the home
- ☐ **Multifamily** dwellings with **five or more** units including rooming houses
- ☐ **Multifamily** dwellings with four or less units, if the **owner does not live** in one of the units

What does New York State HUMAN RIGHTS LAW Prohibit?

New York State's Human Rights Law is also known as NYS Executive Law, Article 15, Section 296. It exempts 2-family owner-occupied housing. However, federal law protection may still apply.

NYS Human Rights Law covers **commercial space** and **land, terms, advertisements, real estate activities, and credit**. In addition to the protected classes defined in the Fair Housing Act, the NYS Human Rights Law also prohibits discrimination based on:

- ☐ **Marital status**
- ☐ **Sexual orientation**
- ☐ **Age** (18 and older)
- ☐ **Military status**
- ☐ **Creed**



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What does County HUMAN RIGHTS LAW Prohibit?

In addition to the protective laws described above, Nassau and Suffolk Counties have local Human Rights laws that address discrimination and do address all the above-listed bases for discrimination as the NY state and federal Fair Housing laws.

Nassau County and Suffolk County local laws prohibit discrimination based on **source of income** (for example: **public assistance, Section 8, SSD, SSI, court ordered child support**). Suffolk County also prohibits discrimination based on alienage or citizenship status, veteran status and status as a victim of domestic violence.

No NY State/federal enforcement mechanisms currently exist for challenging source of income discrimination claims. *But practices, although otherwise consistent, may illegally impact protected classes.* Contact Long Island Housing Services for information related to enhanced enforcement provisions of the counties' local laws *or to consult about disparate impact.* Reporting these violations is urged as a way to document the enforcement need in such cases *and promote change.*