

Fair Housing – It’s Your Right!

Fair housing refers to free and equal access to residential housing – i.e., housing choice. The federal Fair Housing Act makes it illegal to discriminate on the basis of a person’s race, familial status (presence of children under age 18), color, national origin, religion, disability (physical or mental), or sex. The New York State Human Rights Law protects all of the same characteristics as the federal Fair Housing Act but also makes it illegal to discriminate based on creed, age, sexual orientation, marital status, or military status.

Orange County complies with the federal Fair Housing Act and the New York State Human Rights Law. The County is committed to promoting fair housing choice for all people.

Fair Housing FAQ

What kind of housing is covered by the Fair Housing Act?

Most housing is covered by the Fair Housing Act. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated private clubs that limit occupancy to members.

In New York State, fair housing laws cover most housing, with three main exceptions:

One- or two-family owner-occupied buildings; Room rentals in housing for individuals of the same sex; and Room rentals in owner-occupied housing.

Illegal Actions

Fair housing laws apply to the sale or rental of housing and also to mortgage lending. They cover some very specific actions. Some typical examples include Refusing to rent, sell, finance, insure, or negotiate for housing; Making housing unavailable; Setting different terms or conditions, or providing unequal services; Printing or circulating a discriminatory advertisement; Refusing to make or provide information for a loan, or imposing different terms or conditions for a loan; or Harassing, threatening, intimidating, or coercing anyone, including sexual harassment.

Those with Disabilities Are Protected

Under the fair housing laws, a landlord may not: Refuse to make reasonable modifications to a dwelling or common use area to accommodate a person’s disability; or Refuse to make reasonable accommodations in policies or services if necessary for the disabled person to use the housing. In addition, any multi-family housing built after 1991 must comply with accessibility requirements to ensure that public and common use areas and units are accessible for people with disabilities.

Fair Housing Links

Laws

New York Human Rights Law: <https://dhr.ny.gov/law>

Federal Fair Housing Act Link: <https://www.justice.gov/crt/fair-housing-act-2>

Who can I contact if I believe I've been discriminated against?

Complaints related to discrimination on the basis of race, color, religion, sex, national origin, disability, or familial status may also be filed directly with the U.S. Department of Housing and Urban Development (HUD).

What information do I need to provide to file a fair housing complaint?

If you suspect that you have been discriminated against with regard to housing, file a complaint as soon as possible because there are time limits on when a complaint can be filed with HUD after an alleged violation.

Try to include the following information, if possible, when filing a complaint:

- The name and address;
- The name and address of the person(s) or Company the complaint is against;
- The address or other identifying information of the housing or program the complaint is being filed against;
- A brief description of what happened that caused you to file the complaint; and
- The date(s) of the alleged discrimination.

How can I file a fair housing complaint?

Fair housing complaints can be filed with HUD by telephone, online, email and by mail.

Phone

1-800-669-9777 (1-800-927-9275 for TTY users only)

Online

English:

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

Spanish:

https://portalapps.hud.gov/AdaptivePages/HUD_Spanish/Espanol/complaint/complaint-details.htm

Other languages:

https://www.hud.gov/program_offices/fair_housing_equal_opp/complaint_filing_languages_other_english

If you have questions or believe you have been a victim of housing discrimination, you may also contact the Civil Rights Bureau of the New York State Attorney General's Office at 212-416-8250 or civil.rights@ag.ny.gov.

Repairing the Damage

If discrimination has taken place, the laws direct that steps may be taken to remedy the situation. This can include requiring changes in policies and practices; Making the housing or loan available; Assessing money damages and/or attorney fees; or Imposing civil fines and penalties.