



# FAIR HOUSING NYC™

a website of the NYC Commission on Human Rights and  
the NYC Department of Housing Preservation and Development



*The NYC Human Rights Law prohibits discrimination in housing based on your actual or perceived race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, marital status, partnership status, lawful occupation, family status, or lawful source of income. The Law also prohibits retaliation.*

## DISABILITY

A disability is: (1) a physical (such as a broken ankle), medical (such as AIDS, diabetes, or MS) mental, or psychological impairment (such as post-traumatic stress disorder or depression); or, (2) a history or record of such impairment. Even if you don't have a disability, you could be discriminated against in the sale, rental, or lease of a housing accommodation or in the furnishing of facilities or services because you are perceived to have a disability or because of your association with someone with a disability, or a history or record of a disability.

Discrimination means being treated differently by any person with the authority to rent, sell, or deal with applicants for, or residents of, a housing accommodation. For example, a building owner or

representative (such as a superintendent) is discriminating if they treat you differently because of your disability. Discrimination based on disability can also occur if you are denied a reasonable accommodation that would allow you full use of housing features, such as lowering cabinets and light switches, or installing a ramp.

A reasonable accommodation is a structural or policy change the housing provider makes – and pays for – to provide equal opportunity for a person with a disability. The nature and cost is considered reasonable if it would not cause an undue burden or economic hardship. To deny your accommodation, the owner will have to prove the financial hardship or architectural impossibility of the modification (accommodation) you need.

### These behaviors, policies or practices could be evidence of discrimination:

- Being denied an apartment application because the building owner is uncomfortable with a prospective tenant's actual or perceived disability, whether it is you, a partner, or a family member;
- Being told that service animals are not allowed because of a no pets policy;
- Refusing to install a grab bar in someone's apartment or refusing to lower a mailbox;
- Being asked questions, such as: "Do you have a disability? I need to see your medical records before you are approved for an apartment."

*The Law also prohibits retaliation if you file a discrimination complaint against someone, or act as a witness for someone else who files a complaint.*

**ALCOHOLISM AND DRUG ADDICTION:** Addiction to alcohol and drugs could qualify as a disability, but only if the person is recovering or has recovered. Someone who is currently using illegal drugs is not protected.

**If you believe you are the victim of housing discrimination, contact the NYC Commission on Human Rights at 212-306-7450 or visit 311 online.**