



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.

FAMILY STATUS

Family status protects families with children under the age of 18 from discriminatory actions, including couples adopting children, legal guardians of children, foster parents, grandparents with dependents, and pregnant women.

Discrimination means being treated differently by any person with the authority to rent, sell, or deal with

applicants or residents of a housing accommodation. Although you may be told the policy or practice of 'no children' is to ensure a quiet building, prevent accidents, keep the building from disrepair, or because there is no nearby park, not renting to families because they have, or may have, children is discriminatory and interferes with the right to choose your housing.

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

- Requiring families with children to live on the first floor, citing safety as the reason;
- Asking whether you intend to raise a family in the near future, or asking who takes care of your children;
- Including an adult only provision* in the lease or a surcharge for couples with children; or,
- Describing the area as inappropriate for children and steering you to another area "for their sake."

*Senior housing – housing designated for occupancy by persons over the age of 55 under a local, state, or federal program – is exempt from this provision.

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.

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.