



# 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.*

## GENDER, (INCLUDING SEXUAL HARASSMENT & GENDER IDENTITY)

Gender refers to an individual's actual or perceived sex (male, female) and includes a person's gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the legal sex assigned to that person at birth.

Gender discrimination can also be sexual harassment if a housing provider, managing agent, or superintendent offers you benefits in exchange for sexual favors or you are subjected to unwelcome sexual conduct like asking you personal questions about your social or sexual life, pressuring you for dates, or engaging in unwanted sexual teasing, touching, jokes, or remarks.

Discrimination based on gender can also be marital status, sexual orientation, partnership status, or family status discrimination.

Discrimination means being treated differently by any person with the authority to rent, sell, or deal with applicants or residents of a housing accommodation. For example, a building owner or representative (such as a superintendent) treats you differently because of your gender, such as raising the advertised rent or expressing a preference for a gender during an application process.

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

- Being denied an apartment application because the building owner is uncomfortable with your actual or perceived gender identity;
- Being told that renting to a transgender person would violate a landlord's religious practice or beliefs;
- Refusing to renew a lease, or, reducing services such as turning off a unit's electricity or not making repairs after being denied sexual favors;
- Being asked questions, such as: "Are you married?" or, if you are told "The owner prefers to rent to single men rather than single women because, you know, they make more money."

*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.**