

CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS

In the Matter of the Complaint of:

NEW YORK CITY
COMMISSION ON HUMAN RIGHTS,

Complaint No.: M-H-G-25-143851

Complainant,

- against -

VERIFIED COMPLAINT

BROOKLYN HIGH RISE LLC, HENNEH
SHERMAN, JOSEPH KENIG, ELI HOLZMAN,
RACHEL STERN,

Respondents.

NATURE OF THE CASE

The New York City Commission on Human Rights (“Commission”) brings this action against Brooklyn High Rise LLC, Henny Sherman, Joseph Kenig, Eli Holzman, and Rachel Stern, collectively “High Rise Respondents,” for violations of § 8-107(5) of the Administrative Code of the City of New York (“NYCHRL” or “Code”). The Commission alleges that Respondents have engaged in discriminatory practices in violation of the Code. Specifically, Respondents have withheld and denied individuals an opportunity to view and apply for a housing accommodation because of their lawful source of income. Specifically, Respondents have prioritized “cash paying tenants” over individuals with a lawful source of income by misrepresenting the rental price and utilities of units to voucher holders and only offering viewings to those without housing vouchers. The Commission, for its complaint against Respondents, alleges as follows:

JURISDICTION AND VENUE

The Commission initiates this Complaint through its Law Enforcement Bureau (“LEB”) pursuant to § 8-109(c) of the Administrative Code of the City of New York (“Code”). The unlawful policies and practices alleged in this complaint occurred in the City of New York.

THE PARTIES

1. LEB’s mailing address is 22 Reade Street, 3rd Floor, New York, NY 10007.
2. Respondent Brooklyn High Rise LLC (“High Rise”) is a residential real estate brokerage company that, for another person and for a fee, lists for sale, exchange, purchase, or rental of an estate or interest in real estate, as defined by § 8-102 of the Code. Respondent High Rise’s address for service of process is 1010 Rogers Ave, Suite C1, Brooklyn, NY 11226.
3. Respondent Joseph Kenig (“Kenig”) is the owner and/or principal broker of Respondent High Rise and is a real estate broker and/or real estate salesperson, as defined by § 8-102 of the Code. Respondent Kenig’s address for service of process is c/o Brooklyn High Rise LLC., 1010 Rogers Ave, Suite C1, Brooklyn, NY 11226.
4. Respondent Henneh Sherman (“Sherman”) is an agent or employee of Respondent High Rise and is a real estate salesperson as defined by § 8-102 of the Code. Respondent Sherman’s address for service of process is c/o Brooklyn High Rise LLC., 1010 Rogers Ave, Suite C1, Brooklyn, NY 11226.
5. Respondent Eli Holzman (“Holzman”) is an agent or employee of Respondent High Rise and is a real estate salesperson as defined by § 8-102 of the Code. Respondent Holzman’s address

for service of process is c/o Brooklyn High Rise LLC., 1010 Rogers Ave, Suite C1, Brooklyn, NY 11226.

6. Respondent Rachel Stern (“Stern”) is an agent or employee of Respondent High Rise and is a real estate salesperson as defined by § 8-102 of the Code. Respondent Stern’s address for service of process is c/o Brooklyn High Rise LLC., 1010 Rogers Ave, Suite C1, Brooklyn, NY 11226.

FACTS

Background

7. Unlock NYC is a partner project of the Fund for the City of New York, a registered 501(c)(3) nonprofit organization incorporated in the State of New York with its offices located at 121 6th Ave, 6th Fl., New York, NY 10013.
8. Unlock NYC continues to report to LEB instances of lawful source of income discrimination by High Rise Respondents from prospective NYC tenants who utilize housing vouchers and rental subsidies.
9. Respondent High Rise is an independent residential real estate brokerage with approximately six agents operating in New York State.
10. Respondents and/or their agents misrepresent rental prices and utilities to prospective tenants with housing vouchers, thereby denying voucher holders opportunities to view and apply for apartments.

659 Hancock Street Test 1

11. On or about August 19, 2024, a tester employed by the Commission and posing as a Section 8 voucher holder and disabled veteran (“Tester 1”), submitted an inquiry to an ad for 659 Hancock Street, apt. 4A, Brooklyn, NY, a studio apartment listed with a rental price of \$2,450.00 on StreetEasy.com. The ad listed Respondent Sherman as the contact person. Tester 1 submitted an inquiry to Respondent Sherman directly on the StreetEasy platform.
12. Later that same day, Respondent Sherman emailed Tester 1 stating that they must make 40X the rent and have a decent credit score, and if they do not make 40X the rent, they can have a guarantor. Tester 1 responded stating they would be utilizing a Section 8 Housing Choice Voucher (“Section 8”) and veteran disability benefits of \$1,361 to pay their rent, and that they were available to view the unit after 12pm that day.
13. Respondent Sherman responded to Tester 1, stating that a voucher would not cover the unit because utilities were not included, despite the Tester’s Section 8 voucher payment standard for a studio being \$2624.00. Respondent Sherman also stated that “their guidelines require the lease to match the voucher payment,” or words to that affect.
14. On or about August 20, 2024, Tester 1 asked what utilities were specifically not included in the rent.
15. That same day, Respondent Sherman simply responded, “none of them.”

659 Hancock Street Test 2

16. On or about August 21, 2024, a tester employed by the Commission (“Tester 2”) texted Respondent Sherman to inquire about the same ad for 659 Hancock Street, apt. 4A, Brooklyn,

New York on StreetEasy.com. The unit was still being advertised by Respondent Sherman at the same rental price. The text was to phone number 917-907-4060 as listed on the ad.

17. In the initial text, Tester 2 asked if the unit was still available. Respondent Sherman sent an immediate response of “Yes, what is your credit and income.”
18. Tester 2 replied stating their income was \$115,000 and credit score of 744. Tester 2 followed up and requested Respondent Sherman’s availability for a viewing.
19. Respondent Sherman offered to show Tester 2 the unit that same day at 2:15pm.
20. Tester 2 also inquired whether they must bring anything with them to the viewing, to which Respondent Sherman stated they do not need to bring anything and will talk about the application at the viewing. Respondent Sherman confirmed their name as “Henny” in the text communications.

1010 Rogers Ave

21. On or about June 20, 2025, LEB received a report of discrimination regarding Respondent High Rise from Unlock NYC. The evidence demonstrates that on or about June 18, 2025, the reporter, a CityFHEPS voucher holder, contacted Respondent Holzman to view unit 5A at 1010 Rogers Avenue, Brooklyn, NY. The unit was a studio apartment listed at \$2,400.00.
22. Upon learning that the reporter had a CityFHEPS voucher, Respondent Holzman canceled the viewing, stating that an application had been submitted.
23. That same day, the reporter’s advocate from Neighbors Together submitted an inquiry on Streeteasy.com about the same unit.

24. Neighbors Together is a soup kitchen, social service, and community advocacy center located in Brooklyn, NY. It's Empowerment Program supports individuals who are homeless or at risk of homelessness, providing advocacy and case management to members.
25. That same day, Respondent Holzman texted the advocate stating they received their inquiry. The advocate responded that he was interested in viewing the unit, and stating they were a psych nurse making \$167,000 with a credit score of 680.
26. Respondent Holzman responded stating that there was pending application, but if they wanted to see it they could. Respondent Holzman also stated that if the pending application fell through, they would be the first on the list.
27. Respondent Holzman offered a viewing at 4pm that same day to the advocate.

2715 Fulton Street

28. On or about July 22, 2025, LEB received evidence of discrimination regarding Respondent High Rise from Unlock NYC. The evidence demonstrates that on or about July 17, 2025, the reporter, a Section 8 Housing Choice Voucher holder, saw an ad on Streeteasy.com for 2715 Fulton Street, apt. 406, Brooklyn, NY, a three-bedroom unit advertised with a rental price of \$3,600.
29. Respondent Stern responded to the reporter's inquiry by email, requesting their credit and income information, as well as availability to tour the unit.
30. The reporter emailed back that same day, stating they had a 3-bedroom Section 8 Voucher for \$3,777.00 and a 680-credit score. The reporter stated they were available the next day to view the unit.

31. The next day, Respondent Stern informed the reporter that the apartment doesn't come with any utilities included so the voucher would not cover the rent. The reporter was unable to schedule a viewing.
32. On or about July 18, 2025, the reporter submitted a new inquiry on Streeteasy.com requesting the tour the unit under an alias "Hannah."
33. When Respondent Stern emailed "Hannah" back requesting credit and income information, the reporter stated that their household combined income was \$350,000 with a 700-credit score, and stated they were free to tour Monday or Tuesday that following week.
34. Respondent Stern shared a video of the apartment and asked the reporter if they were still interested in seeing it in person. The reporter stated yes and asked what utilities the tenant was responsible for.
35. On or about July 21, 2025, Respondent Stern emailed the reporter confirming the rent was \$3600.00 and that the tenant was responsible for paying electric and wi-fi.
36. Upon information and belief, Section 8 vouchers have a payment standard of \$3,740 when the tenant is responsible for electricity.
37. Upon information and belief, as a pattern and practice, Respondent High Rise and its agents misrepresent the rental price and utilities of units for viewing once a prospective tenant reveals they utilize a housing voucher or rental assistance.
38. Upon information and belief, Respondents intentionally discriminate against applicants based on lawful source of income.

39. Upon information and belief, Respondents have a pattern and/or practice of discriminating against applicants based on lawful source of income.

CHARGE I

Lawful Source of Income Discrimination in a Housing Accommodation in Violation of § 8-107(5) of the NYCHRL

40. The Commission incorporates and realleges paragraphs 1 through 39 of the Complaint as though fully set forth herein.

41. The Commission charges that Respondents have committed an unlawful discriminatory practice by refusing to rent or lease, and/or refusing to negotiate for the rental or lease of, or approve the rental or lease of a housing accommodation because of prospective tenants' lawful source of income in violation of § 8-107(5) of the NYCHRL.

42. The Commission charges that Respondents have committed unlawful discriminatory practices in the terms, conditions, and privileges of a housing accommodation against prospective tenants on the basis of their lawful source of income in violation of § 8-107(5) of the Code.

43. Upon information and belief, Respondents are engaging in a pattern and practice of discrimination on the basis of lawful source of income in violations of § 8-107(5) of the Code.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests judgment against Respondents as follows:

- a) Declaring that Respondents' acts, practices, and omissions complained of herein violate the NYCHRL;
- b) Enjoining Respondents and its/their agents, employees, and successors and all other persons in active concert or participation from aiding, abetting, inciting, compelling, or coercing the doing of any of the acts forbidden by the NYCHRL;
- c) Directing Respondents to make all necessary modifications to their policies, practices, and procedures to comply with NYCHRL;
- d) Directing Respondents to train all management, agents, and employees on NYCHRL;
- e) Directing Respondents to engage in affirmative relief, including anti-discrimination training, policy revisions, posting and notice to employees, and monitoring;
- f) Directing Respondents to pay civil penalties; and
- g) Awarding such other relief as the Commissioner deems just and proper.

[NO FURTHER TEXT ON THIS PAGE]

Katherine Carroll, being duly sworn, deposes and says: that I am the Deputy Commissioner of the Law Enforcement Bureau of the New York City Commission on Human Rights, the Complainant herein; I have read the foregoing Complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief; and that as to those matters, I believe the same to be true.

Dated: New York, New York
October 27, 2025



Katherine Carroll
Deputy Commissioner
Law Enforcement Bureau
New York City Commission
on Human Rights
22 Reade Street, 3rd Floor
New York, NY 10007