

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-25-149891

Complainant,

- against -

VERIFIED COMPLAINT

FLATEAU REALTY CORP, RICHARD
FLATEAU, and MARIA FLATEAU,

Respondents.

NATURE OF THE CASE

The New York City Commission on Human Rights (“Commission”) brings this action against Flateau Realty Corp., Richard Flateau, and Maria Flateau, collectively “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 other, public lawful source of income by refusing to offer 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 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 Fleteau Realty Corp. 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 Fleteau Realty Corp.’s address for service of process is 368A Decatur St., Brooklyn, NY 11233.
3. Respondent Richard Fleteau is the owner and/or principal broker of Respondent Fleteau Realty Corp. and is a real estate broker and/or real estate salesperson, as defined by § 8-102 of the Code. Respondent Richard Fleteau’s address for service of process is c/o Fleteau Realty Corp., 368A Decatur St., Brooklyn, NY 11233.
4. Respondent Maria Fleteau (“Fleteau”) is an agent or employee of Respondent Fleteau Realty Corp., and is a real estate salesperson as defined by § 8-102 of the Code. Respondent Fleteau’s address for service of process is c/o Fleteau Realty Corp., 368A Decatur St., Brooklyn, NY 11233.

FACTS

Background

5. Respondent Flateau Realty Corp. is an independent residential real estate brokerage with approximately seven agents operating in New York State.
6. Respondents and/or their agents have ‘ghosted’ prospective tenants with housing vouchers by ignoring their repeated communications attempts about publicly advertised rental units.
7. This practice of ‘ghosting’ prospective tenants with vouchers withholds viable apartments for rent because of their lawful source of income and prevents voucher holders from applying.

Commission Initiated Test

8. On or about October 1, 2024, a tester employed by the Commission and posing as a Section 8 Housing Choice Voucher (“Section 8”) holder and disabled veteran (“Tester 1”), submitted an inquiry on StreetEasy.com in response to an ad for 1547 Bergen Street, unit #1B, Brooklyn, NY (the “Unit”), a one-bedroom apartment listed with a rental price of \$2,600.00 including all utilities. The ad listed Respondent Flateau as the contact person. Tester 1 submitted an inquiry to Respondent Flateau directly on the StreetEasy website inquiring about viewing the Unit.
9. Later that same day, Respondent Flateau emailed Tester 1 from the email address maria@flateaurealty.com inquiring about Tester 1’s annual income, number of people that would live in the Unit, anticipated move-in date, and whether Tester 1 had pets.
10. Tester 1 responded, stating the Unit was for their sole occupancy and that they would be utilizing a Section 8 voucher and veteran benefits to pay their rent.

11. Respondent Flateau responded to Tester 1 and further inquired into whether Tester 1 was currently working. Tester 1 immediately responded, confirming that their Section 8 and veteran benefits would cover the rent, so employment shouldn't be an issue, or words to that affect. Tester 1 asked what the next steps were to view the Unit.
12. On or about October 3, 2024, Tester 1 followed up with Respondent Flateau via email to inquire again about viewing the Unit, and to confirm that their voucher and benefits were okay. Respondent Flateau did not respond.
13. Tester 1 followed up with Respondent Flateau an additional two times on or about October 4 and October 7, 2024 respectively in an attempt to secure a viewing of the Unit.
14. To date, Respondent Flateau never responded to Tester 1's email communications.
15. To date, Respondents have never scheduled Tester 1 for a viewing.
16. On or about October 10, 2024, Respondents decreased the rental price of the unit to \$2,400.00 on StreetEasy.com. The price was decreased a second time to \$2,300.00 on or about October 25, 2024 before the ad noted the Unit was rented by Respondents on or about November 4, 2024.
17. Upon information and belief, Respondents intentionally discriminate against applicants based on lawful sources of income.
18. 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

19. The Commission incorporates and realleges paragraphs 1 through 18 of the Complaint as though fully set forth herein.
20. 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, and have damaged them thereby.
21. 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 and have damaged them thereby.
22. 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, and are damaging voucher holders thereby.

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.

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
February 10, 2025


Katherine Carroll

Subscribed and Sworn to before me
This 10 day of February, 2025


(Signature of Notary Public)

Prepared by: Stephanie Rivera, Esq.

