

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-24-144507

Complainant,

- against -

VERIFIED COMPLAINT

OXFORD PROPERTY GROUP LLC and GALIYA
KHUSNIYROVA,

Respondents.

NATURE OF THE CASE

The New York City Commission on Human Rights (“Commission”), bring this action against Oxford Property Group LLC (“Oxford Property Group”) and Galiya Khusniyarova (“Khusniyarova”), (collectively, “Respondents”) for violations of §§ 8-107(5)(a) and 8-107(17) 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 prioritized “cash paying tenants” over individuals with a lawful source of income by offering viewings to those without housing vouchers. The Commission 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 address for service of process is 22 Reade Street, 3rd Floor, New York, NY 10007.
2. Respondent Oxford Property Group 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 under § 8-102 of the Code. Respondent Oxford Property Group's address for service of process is C/O Corporation Service Company, 80 State Street, Albany, NY 12207 and/or 5 W 37th Street, Floor 12, New York, NY 10018.
3. Respondent Khusniyarova is an employee and/or agent of Respondent Oxford Property Group and is a real estate broker and/or real estate salesperson as defined by § 8-102 of the Code. Respondent Khusniyarova's address for service of process is c/o Oxford Property Group, 5 W 37th Street, Floor 12, New York, NY 10018.

FACTS

Background

4. Respondent Oxford Property Group is an independent residential real estate brokerage with approximately six hundred (600) licensed agents, salespersons, brokers, and employees.
5. Respondents and/or their agents have "ghosted" prospective tenants with housing vouchers by ignoring their repeated calls and texts about publicly advertised rental units and have offered opportunities such as viewings and chances to apply prospective tenants who are considered "cash paying tenants."
6. 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.

Test 1

7. On or about August 26, 2024, a tester employed by the Commission and posing as a Section 8 voucher holder and disabled veteran (“Tester 1”), responded to an ad for 314 52nd Street, #2A, Brooklyn, NY 11220, a one-bedroom apartment listed on StreetEasy.com for rent at \$2,500.00. The ad listed Respondent Oxford Property Group as the listing agent. The tester submitted an inquiry through the StreetEasy.com platform.
8. Later that day, Respondent Khusniyarova responded to the tester’s inquiry via email stating the unit was still available and asked if Tester 1 was interested in scheduling a viewing, or words to that affect.
9. Later that day, Tester 1 responded via email to Respondent Khusniyarova stating they were interested in a viewing, and disclosed they were using their Section 8 voucher and their monthly veteran disability benefits, or words to that affect. Respondent Khusniyarova did not respond.
10. Later that day, the unit listed at 314 52nd Street, #2A, Brooklyn, NY 11220 was designated as ‘off market’ on StreetEasy.com.
11. On or about August 29, 2024, the unit listed at 314 52nd Street, #2A, Brooklyn, NY 11220 was re-listed on StreetEasy.com as available for rent.

Test 2

12. On or about August 29, 2024, a tester employed by the Commission posing as a cash paying tenant (“Tester 2”) responded to the same ad 314 52nd Street, #2A, Brooklyn, NY 11220. The

unit was still being advertised for \$2,500.00 and listed Respondent Khusniyarova as the agent to contact, with the phone number (917) 250-2626.

13. Tester 2 called Respondent Khusniyarova at (917) 250-2626 and asked if the unit was still available. Respondent Khusniyarova hesitatingly said yes and requested their annual income and number of occupants. Tester 2 responded stating it was just one person, income of \$115k per year and credit in the 740s – 750s, no pets, or words to that affect. Respondent Khusniyarova requested a move-in date, and Tester 2 responded stating it was as soon as possible, and asked if there was a showing available. Respondent Khusniyarova responded to Tester 2, stating she could show the unit later that day around 6:00 pm to 6:30 pm. Tester 2 confirmed the viewing before disconnecting the call.
14. Upon information and belief, Respondent Oxford Property Group and its agents engage in a pattern and practice of ghosting prospective tenants once they reveal they utilize a housing voucher or rental assistance subsidy.
15. Upon information and belief, Respondents intentionally discriminate against applicants based on lawful source of income.
16. Upon information and belief, Respondents have a pattern and/or practice of discriminating against applicants based on lawful source of income.
17. Upon information and belief, Respondents' practices have a disparate impact on 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

18. The Commission incorporates and realleges paragraphs 1 through 17 of the Complaint as though fully set forth herein.
19. 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.
20. 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 § 8-107(5) of the NYCHRL, and have damaged them thereby.
21. Upon information and belief, Respondents are engaging in a pattern and practice of discrimination on the basis of lawful source of income in violation of § 8-107(5) of the NYCHRL, and have damaged them thereby.

CHARGE II

Disparate Impact based on Lawful Source of Income in Housing Accommodations in Violation of 8-107(17) of the NYCHRL

22. The Commission incorporates and realleges paragraphs 1 through 17 of the Complaint as though fully set forth herein.

23. The Commission charges that Respondents' policy of ghosting voucher holders creates a disparate impact upon applicants who are recipients of housing subsidies in violation of § 8-107(17) of the NYCHRL.

PRAYER FOR RELIEF

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

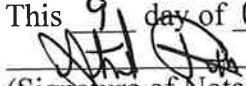
- a) Declaring that Respondents' acts, practices, and omissions complained of herein violate the NYCHRL;
- b) Enjoining Respondents and their agents, employees, and successors and all other persons in active concert or participation from aiding, abetting, inciting, compelling, or coercing any of the 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, employees, and shareholders 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
October 9, 2024


Katherine Carroll

Subscribed and Sworn to before me
This 9 day of October, 2024

(Signature of Notary Public)



Prepared by: Stephanie Rivera, Esq.