



Office of  
Immigrant Affairs  
Nisha Agarwal  
Commissioner

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**Testimony of Acting Commissioner Bitta Mostofi  
NYC Mayor's Office of Immigrant Affairs**

Before a hearing of the New York City Council Committee on Immigration and Committee on  
Housing and Buildings:

Introductions 1269, 1678, and 1721

Thank you to Chair Menchaca, Chair Williams, and the members of the Committee on Immigration and the Committee on Housing and Buildings. My name is Bitta Mostofi and I am the Acting Commissioner of the Mayor's Office of Immigrant Affairs (MOIA).

My testimony today focuses on Introduction 1678 and MOIA's efforts to ensure the well-being of immigrant New Yorkers. I will highlight the steps MOIA and its sister agencies have taken to protect immigrants against housing discrimination in New York City, and express our support for the City Council's efforts to provide additional protections for tenants who are harassed by their landlords.

I want to thank the Chairs and the Committee members for continuing to fight to protect immigrant New Yorkers. As Acting Commissioner of MOIA, I have seen how xenophobic rhetoric, aggressive calls for immigration enforcement, and instances of discrimination have created fear in immigrant communities across our City. Introduction 1678 sends the message that the City is committed to fighting against discrimination that has no place in New York City.

### **Background**

As the City Commission on Human Rights (CCHR) will testify, the City Human Rights Law already prohibits discrimination by housing providers, landlords, or their employees on the basis of immigration status.

However, the xenophobic rhetoric and aggressive immigration enforcement policies at the federal level have emboldened some owners and landlords to discriminate against tenants on the basis of their actual or perceived immigration status. Some of these discriminatory actions have been publicly reported, or reported to CCHR and other investigative bodies. We suspect that some acts of discrimination have not been reported at all.

Recognizing the increased need for information in the current political climate, MOIA has built on its work with its partners across the City, including CCHR, to hold days of action and perform outreach to immigrant New Yorkers about their rights. MOIA and its sister agencies have held two days of action on housing discrimination, including one in June when several city agencies, including MOIA, CCHR, the Department of Housing Preservation and Development (HPD), the Human Resources Administration (HRA), the Mayor's Community Affairs Unit (CAU), and the Mayor's Public Engagement Unit (PEU), distributed flyers on housing rights and answered questions on tenant harassment in Jackson Heights and Corona, and one at the end of August in Sunnyside following public reports of displays of Nazi and Confederate imagery, swastikas, and other hate symbols in a building in Sunnyside. MOIA also continues to conduct outreach and know your rights events where we highlight the protections against discrimination in housing provided by the City Human Rights Law. We have also provided literature and trained community-based organizations to provide information about discrimination to their communities.

Since January, MOIA has participated in over 400 events where we shared information about the right to be free of discrimination and directed residents to call CCHR if they have a complaint or

want to learn more. This includes tabling at the CCHR Annual Fair Housing Symposium in the Bronx, and at a senior center housing fair in Brooklyn, as well as at multiple know your rights forums across the five boroughs.

The City also actively investigates reports of discrimination. As CCHR will testify, the Administration has significantly increased its enforcement efforts in the area of housing discrimination. For example, CCHR doubled its number of investigations of housing discrimination based on immigration status or national origin in 2016 compared to 2015.

### **Introduction 1678**

Introduction 1678 would amend the definition of tenant harassment to include threatening any person lawfully entitled to occupancy based on their citizenship status or alienage, or several other characteristics; refusing to accept any valid government-issued ID presented by anyone lawfully entitled to occupancy; and requesting documentation from anyone lawfully entitled to occupancy that would disclose citizenship status or alienage if the person has already provided a valid government-issued personal ID. These actions would give rise to a rebuttable presumption of tenant harassment.

Access to housing is an issue that affects all New Yorkers, including immigrant New Yorkers, and it is crucial that the City does all that it can to prevent exploitation and discrimination in the housing context. Undocumented immigrants in particular are vulnerable to harassment because of the extremely negative effects of deportation. An immigrant who faces these kinds of threats may simply choose to move instead of risking the possibility of deportation.

For this reason, MOIA supports the intent of Introduction 1678. While the City Human Rights Law already provides protections for New Yorkers who face discrimination in housing, this bill, in conjunction with the tenant harassment reforms recently passed by the Council, would provide an additional avenue for relief for immigrant tenants. We note that because the Human Rights Law already covers discrimination in housing, there may be situations where a tenant is unable to bring both a tenant harassment claim and a Human Rights Law claim. We look forward to discussing ways to address this issue with the Council.

The bill would also allow tenants to bring harassment claims if their landlord requests a form of identification and refuses to accept a valid, government-issued ID like IDNYC, which is secure like other forms of government-issued identification and has been issued to over one million New Yorkers.

In addition, this bill dovetails with the Administration's historic investment in legal representation for tenants in housing court. HRA's Office of Civil Justice funds legal services for low-income tenants facing harassment from unscrupulous landlords, and this bill would expand the grounds for low-income immigrant tenants to bring harassment claims in housing court.

**Conclusion**

The Administration is committed to protecting the rights of all New Yorkers, including immigrant New Yorkers. Thank you again for allowing us to provide testimony on this important bill to protect immigrant New Yorkers from exploitation and discrimination in housing. We look forward to continuing to work with the Council on this bill.