

Fair Housing – It's the Law

It is important to understand the basic rights provided to you under fair housing laws. The premise of fair housing is simple: everyone has the legal right to live anywhere they want (and can afford) to live. Fair housing laws apply to both individuals and families regardless of if they are Voucher Holders or paying market rates.

The Federal Fair Housing Act prohibits discrimination based on race, color, sex, national origin, religion, disability, or familial status. These are considered "Protected Classes". Westchester County has enacted its own fair housing law that, with some exceptions, prohibits discrimination based on source income.

Fair housing laws do not prevent owners from declining to rent their available units to you. Owners can set up non-discriminatory screening processes. A screening process may include:

- Checking credit history and references
- Conducting criminal background checks
- Reviewing previous rental history
- Filling out a thorough application form

Fair housing laws prevent members of protected classes from being screened differently. For example, a property owner cannot mandate that members of a protected class meet a certain credit score threshold without setting the same standards for all potential tenants. However, if their standard, non-discriminatory, screening process uncovers information that indicates you have a history of not paying your rent or damaging your apartments, they may decline renting to you. In Westchester County, with some exceptions, if you meet an owner's screening requirements, they cannot decline renting to you solely because you are using a Housing Choice Voucher.

Fair housing is your legal right. If you are denied your housing rights, you may be experiencing housing discrimination.

Under the Fair Housing Act, it is generally against the law for landlords to:

- Refuse to rent housing to you because you are a member of a protected class
- Tell you housing is not available when it is available
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse and HIV/AIDS-related illnesses
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with fair housing rights

To report housing discrimination or to learn more about it, call the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development (HUD) at (800) 496-4294. You may also file a complaint on line at https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint#object%20HTMLCollection. HUD also maintains a Housing Discrimination Hotline at (800) 669-9777.

You can also file a complaint in writing to:

New York FHEO Center
26 Federal Plaza
New York, NY 10278
(212) 542-7527 or (212) 542-7507

