

Domestic Violence and Housing Discrimination

People who have experienced domestic violence are protected against housing discrimination in New York. You are protected from discrimination in all aspects of housing, including when renting, buying, or selling a home, or while living in your home. That means that you cannot be treated differently by landlords, sellers, agents, banks, management companies, operators of facilities, co-op boards, or other housing providers because you are a person who has experienced domestic violence.

What are some examples of housing discrimination based on domestic violence status?

- Refusing to terminate a lease to allow a tenant who has experienced domestic violence to leave an unsafe living situation, where such a termination is permitted by local law
- Refusing to rent to a tenant because of their status as a person who has experienced domestic violence
- Terminating a lease early or refusing to renew a lease because a tenant has an order of protection against their former partner
- Penalizing someone for requesting law enforcement or emergency assistance because of domestic violence
- Retaliating against a tenant for reporting a domestic violence emergency in their home

Are these protections the same under federal, state, and local law?

New York State, New York City, and other local laws specifically prohibit discrimination against people who have experienced domestic violence. The federal Violence Against Women Act (VAWA) offers additional protections for people living in federally-assisted housing who have experienced of domestic violence. For example, VAWA requires federally-assisted housing providers to have an emergency transfer plan in place in case you need to move to protect yourself from domestic violence.

How is “domestic violence” defined in New York State?

Domestic violence is defined broadly. It includes harassment, stalking, assault, and other crimes by intimate partners and certain other people. You do not have to be married to or living with the person who perpetrated or is perpetrating domestic violence against you. These protections apply to all people regardless of sexual orientation and/or gender identity.

Where can I learn more?

If you think you are experiencing any form of housing discrimination, contact the FHJC. We will help sort out the facts and provide you with information about your rights and options under fair housing laws. You can also contact us – anonymously if you prefer – if you know about housing discrimination that is happening to others. Our counseling and investigative services are provided for free, regardless of income.