

Types of Housing and Types of Entities Covered by Fair Housing Laws

Fair housing laws apply to most types of housing, as well as to most individuals and businesses involved in providing housing.

What types of housing are covered by fair housing laws?

Most housing for rent or sale is covered by fair housing laws including, but not limited to, apartment buildings, nursing homes and assisted living facilities, condominiums, cooperatives, single room occupancy (SRO) units, supportive housing, transitional housing, publicly assisted housing, mobile home parks, and retirement communities.

Are there exemptions?

There are some narrow exemptions for certain types of housing depending on the relevant law. It is important to remember that even though some housing may be exempt under one law, it may not be exempt under another law.

Under **New York City law**, the following types of housing are exempted:

- Rented rooms in non-government assisted housing where the owner lives
- Two-family houses where the owner or owner's family lives, if the available housing was not publicly advertised
- Certain gender- or age-specific housing like college dormitories, senior citizen residences, or adult-only homeless shelters

Under **New York State law**, the following types of housing are exempted:

- Room rentals in owner occupied buildings
- One- or two-family buildings where the owner lives
- Room rentals in housing designated for individuals of the same sex
- Certain age- or family-specific housing like senior citizen housing

Under **federal law**, the following types of housing are exempted:

- A building with four or fewer units, if the owner lives in one of the units
- Single family housing sold or rented without the use of a broker
- Housing operated by religious organizations and private clubs that limit occupancy to members

Who is responsible for abiding by fair housing laws?

Fair housing laws cover almost everyone involved in providing housing, regardless of whether they are an individual, business, or organization. This includes all landlords, sellers, agents, banks, apartment managers, facility operators, co-op boards, builders, contractors, developers, and more. It also includes other people in the real estate industry such as lenders, apartment listing services, and appraisers. For more information about the types of practices that these entities are prohibited from engaging in, see our fact sheet *What Conduct is Prohibited by Fair Housing Laws?*

Where can I learn more?

If you are uncertain about whether a particular housing provider is covered by fair housing laws, please contact the FHJC. We can assist you by sorting out the facts, applying the fair housing laws to your situation, and determining if the housing is covered by any fair housing law. 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.