

## What is Housing Discrimination Based on Military Status?

Military status is a protected characteristic under state and local fair housing laws. You are protected from military status discrimination in all aspects of housing, including when renting, buying, or selling a home, or while residing 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 of your military service.

### What are some examples of military status housing discrimination?

- Avoiding renting to active-duty service members who may need to terminate a lease if called to serve elsewhere
- Refusing to rent to combat veterans because of stereotypes about soldiers who have experienced trauma
- Rejecting military families as tenants because of their enhanced legal protections against eviction for nonpayment of rent
- Charging a higher security deposit to reservists because they may be away for periods of time, leaving the unit vacant during part of the lease
- Denying a reasonable accommodation request due to stereotypes about a veteran's disability

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

No. While New York State, New York City, and other local laws do specifically prohibit discrimination based on veteran or military status, the federal Fair Housing Act does not. However, federal law may provide other relevant protections. For example, veterans with disabilities are protected under federal law, because disability discrimination is prohibited under federal law.

### What types of service members are protected?

Under New York State law, "military status" refers to a person's participation in the United States military service or state military service. For example, this includes the Army, Navy, National Guard, New York Guard, Army Reserve, and more. Under New York City law, housing discrimination based on "uniformed service" is prohibited. Uniformed service is defined similarly to military service.

### 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.