

What is Housing Discrimination Based on Sex?

Sex and gender are protected characteristics under federal, state, and local fair housing laws. You are protected from sex 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 sex. These protections apply equally to men, women, and people of all genders.

What are some examples of sex-based housing discrimination?

- Refusing to rent to someone because of their sex or gender
- Placing special requirements on renters of one sex or gender only
- Rejecting an offer to buy a home based solely on the buyer's sex or gender
- Sexually harassing tenants or retaliating against tenants who report sexual harassment
- Treating LGBTQ+ tenants differently than others

Note: Certain single-sex housing accommodations such as female- or male-only dormitories at a college are generally permitted.

What fair housing protections exist against sexual harassment?

Sexual harassment is a form of sex discrimination under fair housing law, which is illegal. There are two main types of sexual harassment:

Quid pro quo harassment occurs when a housing provider makes an unwelcome request to engage in sexual conduct in exchange for something housing-related, like a landlord who tells an applicant he won't rent her an apartment unless she has sex with him.

Hostile environment harassment occurs when a housing provider subjects a person to sexual conduct that interferes with their housing, like a property manager who makes unwelcome, lewd comments about a tenant's body.

In addition, under New York State and New York City law, housing providers cannot treat people differently because they are a victim of domestic violence, stalking, or other sex offenses. For more information see our fact sheet *Domestic Violence and Housing Discrimination*.

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.

Do these protections also apply to sexual orientation and gender identity?

Yes. Under federal law, sex includes sexual orientation and gender identity. Under state and local law, sexual orientation and gender are explicitly protected characteristics. Regardless, it is illegal to discriminate against LGBTQ+ people because of their actual or perceived sexual orientation or gender identity. See our fact sheet *What is Housing Discrimination Based on Sexual Orientation or Gender Identity?* for more information.