

Where Can Fair Housing Actions Be Brought?

If you believe your fair housing rights have been violated, you can choose to pursue legal action in a number of different venues. The venue you choose will depend on multiple factors, including when and where the discrimination occurred, who the specific parties may be, and what remedies you are seeking.

Fair housing actions can either be brought in court or in an administrative agency, depending on the facts of your case:

Courts

- Federal Court
- State Court

Administrative Agencies

- Federal: Department of Housing and Urban Development (HUD)
- State: New York State Department of Human Rights (NYS DHR)
- City: New York City Commission on Human Rights (NYCCHR)

Note: In most circumstances, actions must be brought in only one venue.

How much time do I have to bring an action?

Actions must be brought before the statute of limitations expires. This countdown for this deadline begins from the most recent act of discrimination. The amount of time you have depends on the venue:

- For administrative agency complaints
 - HUD or NYCCHR: 1 Year
 - NYSDHR: 3 years (Incidents occurring on or before February 14, 2024 require a claim to be filed within one year of the incident.)
- For lawsuits in federal or state court
 - For cases under federal law: 2 Years
 - For cases under state or local law: 3 Years

Pausing the clock

It is important to note that if you file a complaint with an administrative agency first, your statute of limitations, or countdown for filing a complaint in federal or state court is paused.

What should I consider when choosing where to bring a case?

Selecting a venue is an important strategic decision. In addition to different statutes of limitations, different venues have different rules for discovery, trials and hearings, and evidence. Your protections and remedies can also vary based on whether you bring your claim under federal, state, or local law.

It is generally easier to file a complaint on your own with an administrative agency than in court. You can find more information about each agency's process at these links:

- HUD: [hud.gov/program_offices/fair_housing_equal_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)
- New York State: dhr.ny.gov/complaint
- New York City: nyc.gov/site/cchr/enforcement/complaint-process.page

It may help to speak with an attorney to discuss which forum might be best suited for your case.

Where can I learn more?

If you are uncertain about what rules apply in different venues, 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.