



# LANDLORD OBLIGATIONS UNDER FAIR HOUSING LAWS

If you are offering a home or apartment for rent, it is unlawful under federal, state and local laws for you to discriminate or participate in discrimination against any tenant or potential tenant(s) based on certain protected characteristics, including but not limited to *race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income, and familial status.*

## What Types of Landlord Conduct Can Violate Fair Housing Laws?

- Refusing to rent, negotiate or show a property based on a potential tenant's protected characteristic
- Quoting a higher rent to a prospective tenant because of the potential tenant's protected characteristic
- Offering a tenant unfavorable lease terms, conditions or privileges because of a protected characteristic
- Increasing a security deposit based on the number of children who will be living in the apartment or because the prospective tenant has a disability
- Steering prospective tenants to certain neighborhoods or certain areas of a building or complex based on any protected characteristics or refusing to show a tenant certain apartments or areas for the same reasons
- Refusing to rent to a potential tenant because of their source of income, including but not limited to, Housing Choice Vouchers (Section 8) or other government subsidies
- Refusing to waive a "no pet" policy for tenants that require a service, assistance or emotional support animal
- Refusing to rent to a renter who is a victim of domestic violence
- Refusing to make reasonable accommodations to a property or reasonable accommodations to policies that are necessary for a person with a disability to use housing
- Instructing a REALTOR® acting as your agent to convey for you any limitations in the sale, as a REALTOR® is also bound by law and the REALTOR® Code of Ethics not to discriminate or aid in discrimination

## What Can Happen if a Landlord Violates Fair Housing Laws?

If discrimination has taken place, the laws direct that steps may be taken against the landlord to remedy the situation. These can include:

- Assessing money damages and/or attorney fees
- Imposing civil fines and penalties
- Requiring changes to the landlord's policies and practices
- Making the housing available to the prospective tenant

*This information is not intended to be a complete summary of applicable fair housing laws. Please consult with your own legal counsel if you have any questions about your legal obligations.*

**For more information visit: [dhr.ny.gov/fair-housing-guide](https://dhr.ny.gov/fair-housing-guide)**