



## **PRESS RELEASE**

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### **CITY SUES LANDLORDS FOR DISCRIMINATING AGAINST NEW YORKERS USING RENTAL ASSISTANCE**

*DSS legal team investigates and responds to client claims of housing discrimination*

**NEW YORK**— Department of Social Services Commissioner Steven Banks today announced that the newly-formed DSS Source of Income Discrimination Unit has filed its first two cases against New York City landlords in New York State Supreme Court for discrimination based on source of income. Part of the Mayor’s *Turning the Tide* plan to address the citywide challenge of homelessness, the DSS Source of Income Discrimination Unit was created in 2017 to combat illegal practices that prevent New Yorkers from securing housing opportunities. The unit takes decisive legal action on behalf of renters utilizing government assistance by intervening whenever and wherever those seeking housing may encounter barriers in the housing process, from inquiry and application through lease signing.

“Landlords be warned: our city will not tolerate discrimination of any kind against New Yorkers who rely on public assistance,” said **Mayor Bill de Blasio**. “Today’s lawsuits demonstrate our commitment to enforcing fair housing practices by holding landlords, management companies, and brokers accountable for unlawful discrimination against hard-working New Yorkers seeking housing.”

“New Yorkers receiving public assistance should never be turned away from opportunities to obtain permanent housing, and this administration is taking bold steps to put an end to this pattern of discrimination,” said **Deputy Mayor for Health and Human Services Dr. Herminia Palacio**. “Today’s decisive action is another part of our comprehensive response to combatting Source of Income Discrimination, ensuring all New Yorkers can obtain permanent housing with dignity by making it crystal clear that ‘no voucher’ is not an option.”

“To any landlord that refuses to rent to New Yorkers receiving public assistance to pay their rent: consider yourselves officially on notice,” said **Department of Social Services Commissioner Steven Banks**. “Our City will fight hard against this illegal, discriminatory behavior, and with the Department of Social Services’ Source of Income Discrimination Unit we are prepared to intervene and prosecute, ensuring all New Yorkers can access the housing opportunities that are rightfully theirs as they get back on their feet.”

“As alleged in the City’s complaint, defendant landlords and real estate brokers have violated the City Human Rights Law by refusing to rent to tenants who rely on public assistance to pay their rent. The City seeks to enjoin these firms from continuing their unlawful practices, to compel them to come into

compliance, and to require them to pay civil penalties for their wrongful conduct,” said **Corporation Counsel Zachary W. Carter**.

“Here in New York City, we deplore discrimination in all forms, including against those who rely on public assistance. I am proud to stand with the de Blasio administration in this fight. Today’s lawsuit is the first step of many. The Council will do everything in our power to hold landlords accountable and provide affordable and accessible housing for all,” said **Speaker Corey Johnson**.

In New York City, it is illegal for landlords or real estate brokers to refuse to rent to current or prospective tenants who use any form of public assistance to pay their rents, including Section 8, Living in Communities (LINC), Supplemental Security Income (SSI), HIV/AIDS Services Administration (HASA), Family Homelessness and Eviction Prevention Supplement (FHEPS), City Family Eviction Prevention Supplement Program (CITYFEPS), and Special Exit and Prevention Supplement (SEPS) assistance, among others. It is also unlawful for landlords and housing agents to publish any type of advertisements refusing to accept these programs, including online or print.

In the first case, City of New York v. St. Marks Hamilton LLC and Oxford Realty Group LLC, property management company Oxford Realty told multiple callers seeking housing that vouchers were not accepted at the Seaview Estates rental apartment complex in Staten Island.

In the second case, City of New York v. Everton Campbell, Atlas Realty Associates, Inc., DSS initiated an investigation that found advertisements containing discriminatory language for units located in the Bronx being published on multiple real estate websites including [apartmentfinder.com](http://apartmentfinder.com), [hotpads.com](http://hotpads.com) and [apartments.com](http://apartments.com). The discriminatory language included such phrases as: “NOT ACCEPTING ANY VOUCHERS,” “NO VOUCHERS ARE BEING ACCEPTED FOR THIS APARTMENT” and “THIS APARTMENT IS NOT ACCEPTING ANY VOUCHERS.” Everton Campbell, principal broker and owner of Atlas Realty Associates, represents the company and properties named in the advertisements, including 2520 Olinville Avenue, an apartment building containing 16 units, and 1564 Taylor Avenue, an apartment building containing 54 units, both of which are in the Bronx.

The DSS Source of Income Discrimination Unit works to prevent and prosecute instances of housing discrimination based on lawful source of income via a multi-pronged approach that includes education and outreach, pre-complaint intervention, investigations, and filing and prosecuting complaints on behalf of the City alleging a pattern or practice of source of income discrimination. Since its creation in 2017, the unit has responded to more than 50 referrals of possible SOI discrimination, including successful interventions that reversed landlord refusals to accept security vouchers from our clients; reversed a management company’s decision to reject electronic rental payments mandated by HRA’s HOME Tenant Based Rental Assistance (TBRA) program; reversed a co-op board’s decision to deny a sublet to a voucher holder; and reversed a management company’s refusal to rent to a HASA program client.

The source of income provisions of the NYC Human Rights Law were enacted in 2008. The law applies to landlords who own any building in NYC with at least six units and the brokers and others who represent them. It also protects tenants subject to rent control laws who reside in buildings that contain five or fewer units.

“There can be no justification for housing discrimination against renters who receive public assistance; it is unjust, unlawful, and unacceptable in Brooklyn,” said **Brooklyn Borough President Eric L. Adams**. “Combating homelessness takes civic compassion, consistent investment, as well as a shared commitment to holding landlords who discriminate accountable for their actions.”

“I am pleased that DSS is aggressively pursuing cases against these bad landlords. Ensuring equal access to housing is critical to the city's efforts to reduce homelessness and provide stability to vulnerable New Yorkers,” said **State Senator Liz Krueger**.

“The filing of these lawsuits serves as a warning to those abusive landlords illegally preventing New Yorkers on public assistance from securing vital housing opportunities. Our City will not stand for it and will take necessary legal action to curtail any kind of income-based discrimination,” said **State Senator Gustavo Rivera**. “With our City facing an unprecedented housing and homelessness crisis while rents continue to soar, it is our responsibility to protect New Yorkers and hold those breaking the law accountable.”

“Public assistance is often the only safeguard between families and homelessness, and the affordable housing crisis in the district I represent brings many of its residents to my office for help navigating the available resources. Far too often, they face a second hurdle when they find landlords do not want to accept the help the city can offer them.” said **State Senator Brian A. Benjamin**. “This discrimination is unacceptable, and I am glad that Mayor de Blasio and Department of Social Services Source of Income Discrimination Unit are taking this decisive action to prevent it going forward.”

“With the creation of the newly-formed Department of Social Services Source of Income Discrimination Unit, New Yorkers utilizing government assistance programs will now have an additional recourse if discriminated against when seeking housing. I applaud Mayor de Blasio and Commissioner Banks for battling illegal housing practices in our City, and providing one of many needed efforts to combat the worst homeless crisis since the Great Depression,” said **Assembly Member Andrew Hevesi, Chair of the Committee on Social Services**.

“We should find any way to help New Yorkers on public assistance obtain and keep housing. Whenever a Landlord is discriminating against New Yorkers, it is essential that we stand up against that injustice either by lawsuit, legislation or advocacy, said **Assembly Member Michael Blake**. “ I commend the Department of Social Services Source of Income Discrimination Unit for fighting for the people. Your block and your income should never block your blessing.”

“I applaud the Department of Social Services for taking real action against the crooked landlord plague New Yorkers are faced with daily,” said **Assembly Member Latrice Walker**. “My constituency has constantly voiced concerns of discrimination in the search of housing in a city that they call home. With the appalling surge of homelessness, this lawsuit will give every New Yorker a chance to find a place to call home.”

“Discriminating against vulnerable New Yorkers is not only immoral, it is also against the law,” said **Council Member Stephen Levin, Chair of the General Welfare Committee**. “We need to put people over profits, and this legal action is going to send a strong message to any landlords who routinely think the law does not apply to them. I fully support the administration’s commitment to preserving and expanding vouchers as a viable path to permanent housing.”

“This lawsuit sends a loud and clear message that housing discrimination in New York City is completely unacceptable,” said **Council Member Daniel Dromm, Chair of the Finance Committee**. “In particular, Source of Income discrimination is a serious problem facing our city, leading to greater housing insecurity for immigrants, people who have experienced homelessness, those living with HIV/AIDS and many others. I thank the Mayor for advocating for low income tenants in this manner, and will continue to work alongside him to protect these New Yorkers.”

“These lawsuits send a clear message to all landlords, citywide: we will not tolerate unlawful discrimination against any New Yorkers, whether they use public assistance or for any other reason,” said **Council Member Brad Lander**. “I want to thank Mayor de Blasio, Commissioner Steve Banks and Deputy Mayor for Health and Human Services Dr. Herminia Palacio for their leadership to hold these landlords accountable and prevent these harmful acts of bias that cause deep pain and exacerbate our housing crisis.”

The citywide challenge of homelessness was not created overnight. Homelessness in New York City increased 115 percent between 1994 and 2014—and in just three years between 2011 and 2014, it grew almost 40 percent, from 38,000 to more than 51,000 following the end of the Advantage rental assistance program as a result of State and City cuts. While the devastating impacts of economic inequality, including rising rents outpacing wages, and past inaction from prior administrations led to the homeless crisis we face today, the initiatives of the Department of Social Services (HRA and DHS) are beginning to reverse the trend. Immediately upon taking office, the de Blasio Administration stepped in to fill the gap left by the City and State’s cancellation of the Advantage rental assistance program by creating and implementing new rental assistance programs as well as reinstating rehousing programs. In February 2017, Mayor Bill de Blasio announced *Turning the Tide on Homelessness in New York City*, a new approach to addressing the challenges of homelessness built on four core pillars, including preventing homelessness whenever we can and rehousing families and individuals so they can move out of shelter or avoid homelessness altogether. As a result, this Administration has helped more than 87,300 children and adults exit or avoid shelter through the range of rental assistance and rehousing programs implemented since 2014, with the vast majority exiting shelter; and the DHS shelter census for 2017 remained roughly flat year over year for the first time in more than a decade.

In addition to these prevention and rehousing efforts, the plan’s two other key pillars include addressing street homelessness through 24/7/365 outreach efforts that have helped more than 1,800 homeless New Yorkers come off the streets and subways since the launch of HOME-STAT; and transforming the haphazard approach to providing shelter and services that has built up over the last four decades by shrinking the Department of Homeless Services’ footprint by 45 percent and ending the use of 360 “cluster” shelter and commercial hotel locations while opening a smaller number of 90 borough-based shelters in all five boroughs. Through these strategies, the Department of Homeless Services has already reduced its shelter footprint from the 647 buildings reported in the *Turning the Tide* plan a year ago to our current 547 buildings and counting—a 16 percent reduction in one year.

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#### ***About the Department of Social Services (DSS)***

*The Department of Social Services, comprised of the Human Resources Administration (HRA) and the Department of Homeless Services (DHS), serves more than three million New Yorkers annually through a broad range of services that aim to address poverty, income inequality, and prevent homelessness. In April 2016, following a comprehensive review of the City’s homelessness policies, Mayor de Blasio announced a major restructuring of homeless services in New York City and appointed Commissioner Steven Banks to lead the Department of Social Services, which integrated HRA and the Department of Homeless Services under a joint management structure. HRA serves over 3 million New Yorkers through the administration of more than 12 major public assistance programs with 15,000 employees. DHS oversees a broad network of shelters and services with 2,000 employees, and is dedicated to helping New Yorkers experiencing homelessness get back on their feet as quickly as possible. DSS is central in implementing Mayor de Blasio’s agenda to expand opportunity for more New Yorkers, help homeless New Yorkers secure stable housing, address income inequality, and ensure that New Yorkers receive the benefits and assistance to which they are entitled.*

