

HOW TO FILE A COMPLAINT

If you believe that you have been discriminated against because of your disability or denied a reasonable accommodation for your disability, you can file a complaint with the New York State Division of Human Rights.

A complaint must be filed with the Division within one year of the alleged discriminatory act. For more information or to file a complaint, you may contact the regional office nearest to your home or place of employment, or visit our website at www.dhr.state.ny.us.

SOME EXAMPLES:

You rent an apartment in an apartment building and need to use a wheelchair to enter and leave your apartment. You cannot get up the steps at the front of the building without the assistance of others. Do you have any options?

Your landlord may be required to provide you with a ramp or other reasonable means to permit you to access the building.

You suffer from depression and your doctor recommends that you adopt a companion animal and have the animal reside with you at your home. However, your landlord, coop, or condo does not allow pets. Do you have any options?

If your doctor certifies that because of your disability, you require a companion animal in order to use and enjoy the premises, you should be permitted to reside in your home with your companion animal as a reasonable accommodation to your disability, despite the "no pet" rule.

You have a disability that makes it difficult for you to walk from your car to your apartment. Your apartment building has handicapped parking spaces. However, the handicapped parking spaces closest to your apartment are frequently occupied. Can you request that your landlord provide you with a reserved parking space close to your apartment?

Housing providers are required to provide accessible parking based upon the size of the parking area. However, a housing provider is usually not required to reserve a parking space for any particular resident with a disability, unless all parking is reserved.

HOUSING

Housing Rights of Persons with Disabilities

NEW YORK STATE
DIVISION OF
**HUMAN
RIGHTS**

ANDREW M. CUOMO, GOVERNOR
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The Housing Rights of Persons with Disabilities

The New York State Human Rights Law prohibits housing discrimination on the basis of a disability.

The Human Rights Law defines a disability as:

“a physical, mental or medical impairment which prevents the exercise of a normal bodily function or is demonstrable by medically accepted diagnostic techniques, or
a record of such an impairment, or
a condition regarded by others as such impairment.”

It is unlawful to discriminate against individuals with a disability in the rental, sale, or leasing of housing.

It is unlawful for a landlord to take any discriminatory action because of a history of a disability or because they perceive that an individual has a disability.

It is also unlawful for a landlord to take any discriminatory action against a person for filing a complaint of discrimination.

The New York State Human Rights Law applies to everyone who sells, rents, or leases housing, including owners, managing agents, and real estate brokers or other agents.

Real estate brokers, real estate salespersons, and their employees have additional obligations.

It is illegal, based upon disability, for them to:

- refuse to negotiate for the sale, rental or leasing of housing;
- represent that housing is not available for sale, rental, or lease when it is available.

LIMITATIONS

The New York State Human Rights Law does NOT cover:

- rental units in two-family homes occupied by the owner;
- rental in rooming houses occupied by the owner;
- rental of all rooms to persons of the same sex;
- certain senior housing.

REASONABLE ACCOMMODATION

The New York State Human Rights Law requires that efforts be made to accommodate the needs of persons with disabilities in housing. Specifically, the Law requires that:

a person with a disability be permitted to make reasonable modifications to the occupied

premises, if the modifications are necessary to have full use and enjoyment of the premises; reasonable accommodations be made in rules, policies, practices, or services, when such accommodations are necessary to permit a person with a disability equal opportunity to use and enjoy the housing.

The Law also requires that all buildings constructed after March 13, 1991 provide that:

- public and common areas are readily accessible to and usable by persons with disabilities;
- all doors are sufficiently wide to allow passage by persons in wheelchairs; and
- all multi-family buildings contain accessible passageways, fixtures, outlets, bathrooms, and kitchens.

For further information on state laws prohibiting disability discrimination and on the procedures for filing a complaint, please contact any regional office of the New York State Division of Human Rights, or visit our website www.dhr.state.ny.us.