



FAIR HOUSING FAQ ²⁰²¹

**Monroe County, Livingston
County, Ontario County,
Seneca County, Wayne
County, and Yates County**



Q: What does "Fair Housing" mean?

A: **Fair Housing** means the right to rent, buy or enter into a housing-related transaction, free from *unlawful discrimination*, including violations of anti-housing discrimination laws, such as the Fair Housing Act.

Q: Who is held accountable to Fair Housing Laws?

A: This means that landlords, real estate agents, banks, lenders, appraisers, and others involved in a housing-related transaction cannot treat people differently based on certain personal characteristics, known as "protected classes."

Q: What are "protected classes"?

A: There are seven *federally* protected classes under the Fair Housing Act. Race, Color, National Origin (*the country you are from*), Religion, Disability, Sex (*gender or gender identity, sexual orientation, domestic violence victims*), and Familial Status.

Q: Are there any other groups that are protected?

A: Yes! Under the New York State Human Rights Law, all of the *federally* protected classes are included. (There is some overlap.) The following are *protected classes by New York State*: Lawful Source of Income (including Section 8, SSD/SSI, etc.), Sexual Orientation, Gender or Gender Expression, Age, Marital Status, Domestic Violence Survivor Status.

Q: How do I know if I have experienced housing discrimination?

A: Housing discrimination can be obvious or not so obvious. You may be told outright that someone will not rent to you, show you properties, or approve a loan based on personal characteristics you may or may not possess that fall under what is considered to be a protected class. You may see advertising showing a preference for certain types of renters or buyers, thereby, discouraging certain groups from protected classes from applying.

**Q: How do I know if I have experienced housing discrimination?
(Cont.)**

A: Not so obvious examples of housing discrimination may include being told there is no availability when in fact there is, being told you may be more comfortable in a different area or building, being asked to pay extra costs or fees that others do not have to pay. You may see advertising showing a preference for certain types of renters or buyers, thereby discouraging families or individuals that belong to protected classes from applying.

Sometimes, it's just a feeling.

Q: What if my landlord...? Can I withhold rent if...?

A: LawNY has a lot of great articles available on our website with general legal information that may answer your questions. Here is the link: <https://www.lawny.org/topics/3> . If you can't find what you need or still have questions or need legal assistance, then contact LawNY!

Q: How can LawNY help me if I believe I have experienced housing discrimination?

A: When someone contacts our office for help we first will screen the person to see if they are eligible for our services. Then the case will be investigated by an advocate. Possible remedies include negotiating a resolution with the opposing party, filing an administrative complaint, and/or filing a lawsuit in state or federal court. The remedies are on a case-by-case basis.

Q: What do I do if I believe I have experienced housing discrimination?

A: Contact LawNY! You can call us at Rochester Office (585) 325-2520, Geneva Office (315) 781-1465, or Toll-Free at 866-761-FAIR (3247). You can also reach us online by filling out a quick intake form at www.lawny.org. We offer free Interpreter Services!

Q: How much does it cost?

A: Legal Assistance of Western New York, Inc. is a non-profit law firm that provides Civil Legal Services FREE OF CHARGE to clients that qualify. Each program may have different requirements to determine eligibility. Please contact our intake line for more information.

Q: What else can LawNY help me with?

A: LawNY can help with Eviction Prevention, Health Law, Seniors, Veterans and Re-entry, Office of Victims Services, Consumer Law, Issues with Public Benefits, Applying for SNAP, WIC, or Health Insurance, Obtaining Education Services from School Districts, Health AIDS Institute Benefits Counseling and more! *Note: Services offered are based on grants we secure. Therefore, the services available can change. If for whatever reason we are unable to assist you with a particular issue, we will do our best to get you to someone who will.*

Q: Where else can I get more information about LawNY?

A: You can find us online at www.lawny.org. You can also join us on social media! Like and follow us on Facebook at facebook.com/lawnyinc and Instagram at [@lawnyinc](https://instagram.com/lawnyinc) for informative content and updates.

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