

Know Your Fair Housing Rights!

Prosecuting Your Fair Housing Claim

Everyone should be free from housing discrimination. There are ways to stand up against this unfair treatment.

You can:

1. File a Complaint with the U.S. Department of Housing and Urban Development (HUD)
2. File a Complaint with New York State Department of Human Rights (NYSDHR)
3. File a Complaint with New York City Commission on Human Rights (NYCCHR)
4. Take your complaint to State or Federal Court

It's important to **start this process as soon as possible**—if you wait too long, you may not be able to file a claim.

Fair Housing Law Enforcement in New York State

Agency action	How long do I have to bring the complaint?	What does it cover?	Where is it filed?
United States Department of Housing and Urban Development (HUD)	Claim must be brought within 1 year of the last alleged act of discrimination	Discriminatory conduct based on race, color, national origin, religion, sex, familial status or disability.	With the HUD offices. May be initiated by mail, telephone or online.
New York Division of Human Rights (NYDHR)	Claim must be brought within 1 year of the last alleged act of discrimination	Discriminatory conduct based on race, color, national origin, religion, sex, familial status, disability, military status, sexual orientation, age, marital status.	With the offices of the NYDHR. Call to schedule an appointment with an NYDHR attorney.
New York City Commission on Human Rights (NYCCHR)	Claim must be brought within 1 year of last alleged act of discrimination	Discriminatory conduct based on race, color, national origin, religion, sex, familial status, disability, sexual orientation, age, marital status, citizenship status, gender identity, lawful occupation, family status, lawful source of income.	With the Law Enforcement Bureau of the NYCCHR. Call to schedule an appointment with an NYCCHR attorney.
Federal Court	Claim must be brought within 2 years of the act of discrimination	X	In court.
State Court	Claim must be brought within 2 years of the act of discrimination	X	In court.

It is free to file a complaint with HUD, NYDHR, and NYCCHR, and you may do so online or by mailing in a form.

HUD is an agency set up to handle federal claims. If you feel that you've been discriminated against in violation of the Federal Fair Housing Act, you should file a claim with HUD.

NYSDHR handles state claims. If the discrimination you experienced violated New York State laws, you should file a claim with NYSDHR.

NYCCHR handles discrimination that is in violation of New York City laws.

See chart to determine under which law your rights have been violated.

How do I prove my claim?

You must show that you have been the victim of either direct discriminatory conduct, or that you have been the victim of conduct that does not appear to discriminate on its face but results in discrimination against you as a member of a class that is protected by the city, state, or federal fair housing laws.

Can I go directly to court?

Yes. Federal, State, and New York City fair housing law claims can be brought through administrative agencies such as HUD, or in State or Federal court. If you prefer to bring the complaint in front of a judge directly, you should gather your evidence and make an appointment to see an attorney who specializes in fair housing claims.

Should I bring my claim to HUD, NYSDHR, or an attorney?

It's your decision! You can, but don't have to, bring your claim to an attorney or agency that can help you in court. You can file a complaint on your own or contact a lawyer to go to court directly. If, however, more than one year has passed since the last time you were discriminated against, neither HUD nor NYDHR will be able to take your complaint and your only option is to proceed in court.

How can Brooklyn A help?

Brooklyn A is happy to help you navigate your options, including assisting you with filing an agency complaint or pursuing litigation in court. We can also help you to figure out how these actions might affect one another.



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