

Suffolk County, NY, Fair Housing Task Force Recommends Amendments to County Human Rights Law

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After conducting an analysis of the New York's Suffolk County Human Rights Law (HRL) as it pertains to housing discrimination, the Suffolk County Fair Housing Task Force released its [final report and recommendations](#) to lawmakers in its continued efforts to combat housing discrimination.

Suffolk County Human Rights Law

The HRL prohibits discrimination on the basis of race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, familial status, military status, veteran status, status as a victim of domestic violence, or lawful source of income, in the sale, lease, rental, purchase or financing of housing accommodations or commercial property.

The HRL applies to most housing accommodations, but contains certain limited exemptions including:

- Rental of housing accommodations in a building with no more than two housing accommodations, if the owner/owner's family occupies one of the units (known as the "Mrs. Murphy" exemption);
- Rental of room(s) in housing accommodation is by the occupant/owner of the accommodations, and the occupant/owner resides in the accommodations;
- Housing for individuals under the age of 18 years old; and
- Housing that qualifies as "housing for older persons."
- With respect to the provision relating to source of income discrimination, the regulations shall not apply to housing accommodations containing two or fewer units, except that the provisions apply to all housing accommodations, regardless of the number of units, of any person who has the rights to sell, rent, lease, or approve the sale, rental, or lease of at least three housing accommodations (or the interests in such accommodations) within the county.

The Task Force's Recommendations to Combat Housing Discrimination

The proposed amendments by the Task Force seek to add two additional protected classes under the law: (1) prior criminal convictions; and, (2) Limited English Proficiency (LEP) status. The amendments would enhance the list of existing protected classes, providing individuals with criminal convictions and/or persons who have limited ability to read, write, speak or understand English the same rights as other protected classes when it comes to renting or buying a home.

The Task Force also recommends increased financial support for the Suffolk County Human Rights Commission to conduct undercover fair housing testing, as well as increased funding for Administrative Law Judges to meet the rising demand of fair housing cases.

Other recommendations by the Task Force include:

- Ensuring through legislation that towns receiving funding under the Community Development Block Grant program comply with fair housing laws;
- Strengthening real estate licensing requirements through educational programs, establishing an advisory rating system for realtors with penalties for violations of fair housing, and increased transparency by permitting the public to look up real estate licensees “good standing” on an online database;
- Establishing a countywide bilingual outreach and education campaign on housing discrimination, including the distribution of a “Bill of Rights”/ “Know Your Rights” to tenants facing evictions;
- Requiring county’s vendors involved with real estate, such as banks and insurance companies, to affirmatively further fair housing;
- Diversifying the county’s housing stock through zoning changes;
- Increasing housing for veterans; and
- Establishing a Fair Housing Advisory Board.

Legislation is anticipated, incorporating many, if not all of these recommendations.

While the amendments are pending, companies and individuals can take steps now to ensure they combat housing discrimination by staying apprised of and training employees on fair housing requirements and anti-discrimination and harassment.

Please contact a Jackson Lewis attorney with questions about fair housing compliance, training, or other issues.

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