



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

December 1, 2015

Carmelyn P. Malalis, Esq.
Chair and Commissioner
New York City Commission on Human Rights
100 Gold Street, Suite 4600
New York, NY 10038

Re: Source-of-income discrimination in rental housing

Dear Chair Malalis:

I write today regarding the efforts of the New York City Commission on Human Rights (CCHR) to address source-of-income discrimination complaints, particularly those pertaining to the Living in Communities (LINC) Rental Assistance Program administered by the New York City Department of Homeless Services (DHS).

As you know, the LINC program was created to help individuals and families residing in DHS shelters move into stable housing by covering a portion of their rent. While DHS has recently been able to increase the number of LINC recipients placed in housing, we are aware that it has been a challenge for the agency to find landlords willing to accept LINC.

This refusal to accept LINC mirrors historic discrimination suffered by individuals and families with Housing Choice Vouchers issued under Section 8. In 2008, in an effort to root out this pernicious discrimination, the New York City Council added “any lawful source of income” to the City’s Human Rights Law, which already barred discrimination in housing on the basis of race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status or status as a victim of domestic violence, among other categories.¹

Despite this historic step, landlords and property managers have continued to discriminate on the basis of source of income. In fact, unlike other forms of discrimination that often entail implicit prejudice or bias, discrimination against voucher holders is often brazen.

For instance, as shown in the attached exhibits, some posts for apartments on Craigslist have “NO VOUCHERS” in the title, while others include “no vouchers” language in the description. Furthermore, recent lawsuits filed by the Legal Aid Society and others have highlighted the persistence of source of income discrimination.²

¹ <http://www.antibiaslaw.com/sites/default/files/all/LL10-2008.pdf>.

² <http://www.legal-aid.org/en/mediaandpublicinformation/inthenews/legalaidmayerbrownandfhjcfightsourceofincomediscrimination.aspx>.



The City Commission on Human Rights (CCHR) is in a unique position to not only investigate inquiries from residents but to proactively initiate investigations into systemic discrimination.

Given that, I request you provide my office with the following information:

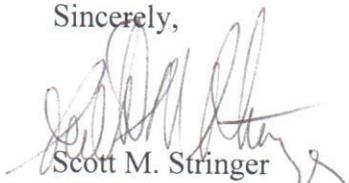
- The number of “lawful source of income” discrimination inquiries received, cases filed, and settlements obtained from FY 2011–FY 2015;
- The number of investigations initiated by CCHR pertaining to “lawful source of income” discrimination experienced by LINC program participants, if such investigations have been undertaken;
- Details of collaborative work with the DHS to obtain data about clients whose LINC vouchers have been rejected by private landlords, if such work has been undertaken;
- Details of outreach conducted by CCHR staff to educate LINC program participants about source of income discrimination, if such work has been undertaken;
- Efforts to use technology to automatically screen housing listings for language indicative of source of income or other discrimination, if such tools are used; and
- Any additional activities CCHR has undertaken to investigate and address possible “lawful source of income” discrimination against LINC program participants.

As the City’s shelter population swells, it is incumbent upon the public, private, and non-profit sectors to work collaboratively to reduce any barriers prohibiting shelter clients from moving into stable housing.

To that end, we urge you to explore technologies that can automatically scan real estate listings across the New York City area to flag listings of concern. This tool could make agency operations more efficient by “sifting” the thousands of listings that are posted in New York City every day and allowing agency staff to perform targeted follow-up to root out bad actors. Many companies already use similar technology to prevent copyright infringement—including Google on its YouTube platform.³

Please contact my office should you have any questions about this request, and thank you in advance for your response.

Sincerely,



Scott M. Stringer
New York City Comptroller

³ <https://support.google.com/youtube/answer/2797370?hl=en>.