
**Testimony of JoAnn Kamuf Ward
Deputy Commissioner of Policy and External Affairs
New York City Commission on Human Rights
Before the Committee on Civil and Human Rights
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Introduction

Good afternoon Chair Williams and Committee members. I am JoAnn Kamuf Ward, Deputy Commissioner of Policy and External Affairs at the New York City Commission on Human Rights (“CCHR” or “the Commission”). Joining me today for questions is Kevin Farley, Associate Commissioner of Investigations and Operations of the Commission’s Law Enforcement Bureau. Thank you for convening today’s hearing. We are excited to speak about the agency’s work combatting discrimination in housing.

The NYC Commission on Human Rights is dedicated to ensuring all New Yorkers are able to live, work, and thrive in our city, free from discrimination. The Commission welcomes the opportunity to speak about the NYC Human Rights Law’s protections against housing discrimination and the ways that the Commission on Human Rights educates New Yorkers about their rights and obligations under the Law. In recent years, the Commission has strengthened this work and developed new initiatives to address housing discrimination.

The New York City Human Rights Law

The New York City Human Rights Law (the “Law”) is one of the most robust civil rights laws in the country. The Law prohibits discrimination in three main areas – housing, employment, and places of public accommodation. More than twenty-seven protected categories are explicitly recognized in the New York City Human Rights Law, including disability, race, sexual orientation, and gender identity. In housing, the Law also prohibits discrimination based on source of income, criminal history, and the presence of children. In addition, it is illegal for covered entities – such as housing providers – to retaliate against individuals for asserting their rights.

Agency Mandate and Structure

To fulfill the Commission’s dual mandate of enforcing the New York City Human Rights Law and fostering intergroup relations, the Commission’s two largest units are the Community Relations and Law Enforcement Bureaus.

The Community Relations Bureau sits at the center of CCHR’s education efforts, and is responsible for outreach and training. Community Relations staff work in partnership with housing providers, non-profits, houses of worship, businesses, and sibling agencies to ensure New Yorkers know about the Law’s protections. Commission staff lead public events, host roundtables, organize days of visibility,

participate in resource fairs, and deliver trainings focused on the Law, cultural competency, and bystander intervention. This engagement is fundamental to challenging bias and discrimination.

The Law Enforcement Bureau combats discrimination with a wide range of tools, including launching investigations, performing tests, conducting pre-complaint interventions, responding to public inquiries, and filing complaints to address individual and structural discrimination.

Protections against Discrimination in Housing

The New York City Human Rights Law aims to protect against invidious discrimination that impacts housing applicants, tenants, and residents. The New York City Human Rights Law defines a “housing provider” as any and all individuals with the authority to approve or deny the rental or sale of housing, including brokers, licensed salespeople, building owners, property managers, as well as their agents and their employees. Under the Law, it is illegal for housing providers to refuse to sell or rent housing, or to misrepresent the availability or housing, based on a person’s protected category. It is also illegal for housing providers to set different terms or conditions for sale or rent based on a person’s protected category. Statements or advertisements that directly or indirectly express limitations based on a protected category also violate the Law.

Today we will highlight work that demonstrates how the Commission has been advancing disability protections, source of income protections, as well as the newest housing provision – known as Fair Chance in Housing – which bans discrimination based on criminal history.

1. Disability Protections

The New York City Human Rights Law has expansive protections for persons with disabilities, requiring housing providers to ensure that individuals with a disability have an equal opportunity to apply for, use, and enjoy a dwelling. To meet this obligation, housing providers must engage in a cooperative dialogue and, in the absence of an undue hardship, provide reasonable accommodations that meet the needs of individuals with disabilities. Accommodations may involve a structural change to the physical space like building a ramp, or an adjustment to a policy or practice, such as allowing an emotional support animal.

2. Source of Income Protections

The New York City Human Rights Law prohibits discrimination based on a person’s source of income, requiring nearly all landlords and real estate brokers to accept any lawful source of income from an applicant such as Section 8, FHEPS, and emergency housing vouchers, which are issued by HRA, HPD and other agencies. Because of these protections, it is illegal in New York City to disqualify applicants or otherwise discourage people from viewing units because they pay with a housing voucher, or otherwise treat those applying for an apartment less well because they pay with a voucher.

3. Fair Chance in Housing Protections

As of January 1, 2025, the Fair Chance Housing Law makes it illegal for most housing providers to discriminate against renters and buyers because of criminal history, aiming to overcome longstanding barriers to housing stability. The new law allows housing providers to conduct criminal background

checks on prospective tenants *only* after reviewing other factors such as ability to pay rent and tenant history, and making a conditional offer of housing. Housing providers that choose to do a criminal background check are now required to follow a series of steps that ensure tenant qualifications are the focus of decision-making in order to prevent arbitrary denials of housing based on a criminal record alone. A conditional offer can only be revoked in narrow circumstances after an individualized assessment of an applicant, among other requirements.

The Commission effectuates these protections in several ways, consistent with our dual mandate.

Education and Outreach

Through education and outreach, the Commission works to make sure New Yorkers understand their rights and obligations under the New York City Human Rights Law. In FY 25, the Commission achieved a new milestone, engaging with one hundred and fifty thousand and fifty three (150,053) New Yorkers.

One consistent pathway of engagement is trainings. The Commission offers a series of trainings covering the anti-discrimination protections under our jurisdiction, including Human Rights Law 101, an overview of housing discrimination, and a training focused on disability protections in housing. This year, we were proud to present our disability training to the Disability Service Facilitators citywide in partnership with the Mayor's Office for Persons with Disabilities. All trainings are available to the public upon request.

The Commission also works diligently to meet New Yorkers where they are throughout the five boroughs. As one example, the Commission provided housing trainings at older adult centers. The agency also has deep collaborations in the disability community. In FY 25, CCHR co-hosted the Disability Unite Festival with community partners as a day of activity and learning, reaching more than five thousand (5,000) people. Another example is participation in the Andrew Heiskell Braille and Talking Book Library's resource fair. The agency also partnered with the Bronx Borough President's Disability Advisory Council, and Centers for Independent Living on outreach.

In FY 25, the Commission also continued to raise awareness of source of income protections, the Fair Chance Housing Act, and other tenant rights. CCHR collaborated with CAMBA, Asian Americans for Equality, Harlem Development Corporation, and Northfield Economic Development Corp, among others, to provide workshops and seminars, and participate in resource fairs. In collaboration with the Department of Housing Preservation and Development (HPD), the Commission joined "Where We Live" outreach events, engaging landlords and agents on their obligations under the New York City Human Rights Law. FY 25 also saw the second year of the CCHR partnership with the Fordham Real Estate Institute, which features a free course for brokers and realtors who earn professional credit while they learn about the City Human Rights Law.

The Commission is deeply committed to promoting the protections in the new Fair Chance Housing Law, and this year we are partnering with a Public-Artist-in-Residence as part of holistic outreach and education efforts. The artist is producing a play that depicts scenarios of discrimination that can occur when seeking housing and educates participants on the New York City Human Rights Law. Additionally, we launched a citywide multilingual campaign "Break Down Barriers to Housing" to ensure that housing providers and residents are aware of their rights under the new Fair Chance to Housing Law. The campaign appeared in print, on digital platforms, on LinkNYC kiosks as well as in

convenience stores to garner more than 19 million impressions and generate over 10,000 visits to the Commission's website and social media pages. This campaign built on the Commission's 2023 citywide "Vouchers Pay. Discrimination Doesn't." campaign, which included large scale bus shelter posters and featured Commissioner Palma in a public service announcement for TaxiTV, as well as ads in multiple languages with community and ethnic media outlets.

Accountability Through Enforcement Tools

The Commission's Law Enforcement Bureau uses a wide range of enforcement tools to address instances of discrimination, from testing to Pre-Complaint Interventions (PCIs), to case settlements. Pre-Complaint Interventions are utilized in particular in the housing context to address discrimination with an expedited resolution.

In FY 25, the Law Enforcement Bureau fielded over fifteen thousand and five hundred (15,507) inquiries from members of the public, which includes one thousand two hundred and twenty-two (1,222) jurisdictional inquiries related to housing. This is consistent with the upward trend over the past four fiscal years. The vast majority of the over three hundred (300) Pre-Complaint Interventions undertaken by the Law Enforcement Bureau were also in the area of housing. Pre-Complaint Interventions are also a tool to secure housing opportunities, such as an apartment viewing for an individual paying with a voucher who may have been ghosted. The Commission's PCIs can also allow for reasonable accommodations to be implemented for a tenant with disabilities without a complaint being filed where the parties are willing.

Of the more than six hundred (600) claims filed in FY 25, one hundred and seventy (170) were in the area of housing. Filed claims are often resolved through settlements, allowing the Commission to pursue monetary awards, civil penalties, and other creative forms of affirmative relief for those impacted by discrimination. Affirmative relief can include policy and practice changes, set asides and broker incentives, as well as relevant trainings. The Commission is proud to have effectively utilized affirmative relief in source of income cases to increase housing availability for voucher holders. Last year, in partnership with the Fair Housing Justice Center, the Commission settled its largest housing case ever, resulting in 850 apartments set aside for voucher holders and \$1 million in civil penalties. Even smaller cases have led to expanded housing opportunities, such as an FY 25 case that resulted in ten set aside units for voucher holders, as well as damages and civil penalties.

These examples represent some of the ways that the Commission uses education and outreach, as well as enforcement tools to combat discrimination in housing for New Yorkers.

Conclusion

In closing, the Commission works with dedication to address discriminatory policies and practices that stand in the way of housing access through our dual mandate of enforcement and education and outreach. We appreciate the Council's time and attention and welcome your questions.