

KNOW YOUR RIGHTS.

As a resident of New York, you are protected by fair housing laws. It is important to understand these protections in order to defend your rights. ▲▲▲▲



1542 Main Street, Buffalo, NY 14209
716.854.1400 • info@homeny.org

Who Are We?

HOME is a civil rights organization that has led the struggle for fair housing in Western New York since 1963. HOME's mission is to promote the value of diversity and to ensure all people an equal opportunity to live in the housing and communities of their choice.

Call HOME:

- To file a housing discrimination complaint
- For assistance with requesting reasonable changes in policy or accessibility to accommodate a disability
- If you need help resolving an issue with a landlord, including any of the issues discussed in this brochure
- If you would like training or information on fair housing law or landlord-tenant rights
- For housing search assistance

To Report Discrimination:

Call HOME at 716.854.1400

OR

Go to www.homeny.org and click "Report Discrimination" in the top right corner and submit the form

For Any Other Housing Questions:

Call HOME at 716.854.1400

OR

Email info@homeny.org

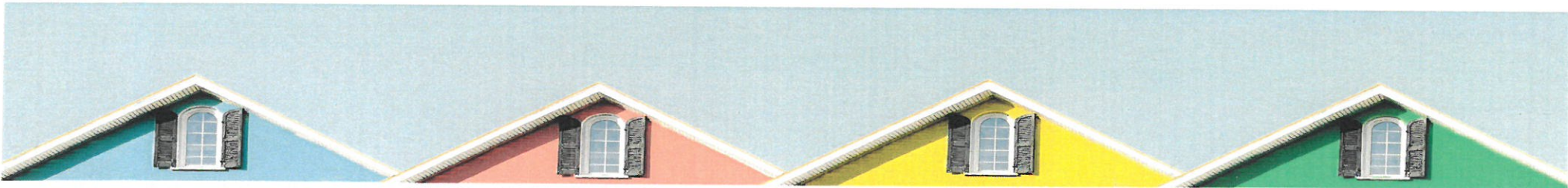
FIGHT BACK AGAINST HOUSING DISCRIMINATION.

LEARN YOUR RIGHTS.

CONTACT HOME.

IF WE TOLERATE
DISCRIMINATION AND FAIR
HOUSING VIOLATIONS,
THEY WILL CONTINUE. IF
WE STAND UP, WE CAN
MAKE A DIFFERENCE - FOR
OURSELVES, OUR CHILDREN,
AND OUR COMMUNITY.

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DISCRIMINATION

Federal and state laws make it illegal to discriminate in housing-related services and the sale, rental, or securing of financing for any housing. This means you can't be denied because of any of the following characteristics:

- Race
- Color
- Religion
- National Origin
- Sex (or being the victim of sexual harassment or domestic violence)
- Disability (either physical or mental)
- Familial Status (the presence of children under age 18 in your household)
- Age
- Marital Status
- Military Status
- Sexual Orientation
- Lawful Source of Income (including Section 8 vouchers and other forms of government assistance)
- Gender Identity and Expression

EVICCTIONS AND PROPER NOTICE

New York has strong tenant protections when it comes to evictions. There are only two reasons you can be evicted from your home. A nonpayment eviction may happen if you fall behind on rent, and a holdover eviction may happen if you violate the terms of your lease or refuse to leave when the rental agreement expires. If your landlord wants to have you leave without evicting you, they need to give

you enough time to find a new place to live:

- 30 days' notice if you've lived there: ***less than one year***
- 60 days' notice if you've lived there: ***between one and two years or have a one-year lease***
- 90 days' notice if you've lived there: ***more than two years***

IF YOUR LANDLORD WANTS TO EVICT YOU THEY HAVE TO FOLLOW CERTAIN STEPS:

1. 5-day grace period—your landlord can't charge any late fees or start the eviction process if you're less than 5 days late on rent
2. 14-day notice—your landlord needs to tell you that they haven't received your rent and how much you owe, giving you 14 days to pay it before they can file for an eviction with the court
3. Notice of petition—this is a document from the court telling you that your landlord filed for eviction and notifying you what date you need to come to court (this will be 10-17 days from when the landlord filed)
4. Housing court date—it is very important to show up to court, and there are organizations that provide lawyers for people in eviction court who cannot afford one
5. Notice to vacate—if the judge grants the eviction, you will have at least 14 days before you will be removed from the property by law enforcement


As you can see, knowing your rights around evictions can buy you a lot of time to find a new place to live even if you don't win in housing court. If you violate your lease, your

landlord must give you 30 days to fix the problem, then the process starts from step (3). If you refuse to leave after your landlord gives you proper notice, the process also starts from step (3).

COVID-19 AND EVICTIONS

It is important to know that if you fell behind on your rent due to the pandemic at any point during the COVID-19 pandemic (between March 7 and the end of all public restrictions) you can never be evicted for those missed rent payments. You still owe rent and your landlord can take you to court to make you pay it, but you can't be forced out of your home because of it.

SECURITY DEPOSITS

When you move into a new place, the landlord can't charge you more than the amount of one month's rent for a security deposit. After you move out, they have only 14 days to either return your deposit or give you a list of exactly what repairs they spent it on. If they miss this deadline, you can go to Small Claims Court to get your money back. 



Housing Opportunities Made Equal

WWW.HOMENY.ORG