



## Division of Human Rights

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### **State Division of Human Rights Adopts New Regulations Strengthening Protections**

Commissioner Helen Diane Foster today announced the New York State Division of Human Rights has adopted new regulations clarifying that it is unlawful under the State Human Rights Law to discriminate against individuals because of their relationship or association with members of a protected class. This regulation applies to all areas of the Human Rights Law, including public accommodations, employment, seeking to buy or rent housing and commercial property, and credit. You can view the regulations [here](#).

“New York is a diverse state, and New Yorkers have friends and family members of all backgrounds,” said Commissioner Foster. “These regulations will ensure that all New Yorkers know they have the right to equal employment, to rent or buy residential or commercial space, or patronize such places as stores, restaurants or theaters, regardless of the race, color, creed, national origin, sexual orientation, disability or other protected characteristic of their family members, associates, or clients.”

Examples of conduct prohibited by the law:

- A mother seeking housing may not be denied an apartment because of the race, disability or other protected characteristic of her child.
- A renter may not be evicted or denied equal terms because of the race, creed, national origin, sexual orientation, gender identity or other protected characteristic of the renter’s friends who visit the apartment.

- An individual who provides services to persons in need may not be discriminated against because of the creed, national origin or other protected characteristic of his or her clients, with regard to renting a residential apartment or renting office space for providing those services.
- A medical practice providing health- care services to HIV/AIDS patients cannot be denied commercial space, or given unequal terms or conditions of a lease, because of the nature of its patients' disabilities or other protected characteristics.
- Job seekers may not be denied employment because of the gender identity, transgender status, or other protected characteristics of their spouses.

New York was the first state in the nation to pass a Human Rights Law. The Law, enacted in 1945, affords every citizen "an equal opportunity to enjoy a full and productive life." The Division is the state agency with statutory authority to promulgate regulations interpreting the Human Rights Law. Individuals who feel they have been harassed or discriminated against can file complaints with the State Division of Human Rights, without charge. Those complaints are promptly investigated at regional offices throughout New York.

If the Division determines there is probable cause to believe harassment or discrimination has occurred, the Commissioner of Human Rights will decide the case after a public hearing, and may award job, housing or other benefits, back and front pay, compensatory damages for mental anguish, civil fines and penalties, and may also require policy changes and training as appropriate. Civil fines and penalties can be as much as \$100,000 if the discrimination is found to be "willful, wanton or malicious." Unlike federal law, compensatory damages to individuals are not capped.

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