



## One Year Later: Testing for Source of Income Discrimination in the Year Since Passage of the Lawful Source of Income Non-Discrimination Act

### Overall Testing Results

Within the twelve months since New York State’s Lawful Source of Income Non-Discrimination Act was signed into law on April 12, 2019, WRO conducted 128 source of income investigations of local landlords, management companies and real estate professionals. 64 tests produced measurable results, with 28 (44%) being violative and 36 (56%) non-violative.

### Westchester Results

Westchester County investigations comprised 70 of the 128 source of income tests. Of the 32 tests in Westchester that produced measurable results, 17 (53%) were violative and 15 (47%) were non-violative. Relative to our aggregate results and results in other counties, Westchester demonstrated a higher rate of violation. Between voucher discrimination and a lack of affordable housing, lower-income households continue to face housing obstacles in Westchester County.

### What WRO Heard

Testers were faced with a range of discriminatory behaviors, from explicit denials (“we do not accept any vouchers”) to more subtle rejections. For example, some agents steered testers by recommending buildings they

perceived to be more voucher-friendly or discouraging them from applying to co-ops.

Testers were also confronted with disparately



impactful policies, such as high income requirements or an unwillingness to make a reasonable accommodation. Policies which, while not directly speaking to vouchers, stop just short of shutting the down on voucher-holders.

### How WRO Tested

Throughout the year, WRO employed a variety of testers in the role of a voucher-holder looking for housing. Testers posed as individuals receiving HOPWA, Section 8 and OPWDD support, along with their fixed incomes.

Properties were chosen by their affordability, known policies and sometimes based on complaints.

### Who WRO Tested

Beyond Westchester, WRO tested Rockland, Dutchess, Rennselaer, Orange, Albany, Putnam and Tompkins counties. Across these counties, WRO examined many types of housing providers, including real estate agents, management companies, landlords, leasing offices and related staff.

### Why WRO Tested

After the passing of NY’s new law, WRO sought out to determine if housing providers, and their respective policies, were conforming to new regulations. After a year of extensive, multi-tester investigations, the answer is clearly negative. WRO and other fair housing advocates and enforcers have their work cut out for them.

If you see something (discriminatory), say something!

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