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TRUST. COMMITMENT. INTEGRITY.

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## - NEWSLETTER -

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### Landlords and Real Estate Professionals Beware! New York State is Implementing a New Undercover Anti-Discrimination Program Targeting You.

On February 14, 2016, Governor Cuomo announced a new initiative aimed at "rooting out" housing discrimination. The program, known as the Fair Housing Enforcement Program, will seek to identify and prosecute landlords, real estate brokers and other real estate professionals for acts of discrimination based on race, disability and disability accommodation, and other protected classes. The program will focus on rental homes and apartments as well as real estate and cooperative apartment transactions. The Fair Housing Enforcement Program will seek to identify acts of discrimination under the federal Fair Housing Act and New York State Human Rights Act, which both prohibit housing discrimination based on race disability, national origin and numerous other grounds. If it is determined that a landlord, broker or other real estate professional may have discriminated, then, under the program, the government agencies will seek to investigate and prosecute wrongdoers. The program will use undercover trained "testers" who present diverse racial, gender, economic and other backgrounds and pose as renters or home buyers to test for discriminatory bias. Multiple testers will present similar income and career profiles to landlords and brokers to see if the treatment of one race, gender or group is different from that of another. The Governor's website discussing the initiative\* states that these "fair housing testers" will come from "three fair housing agencies[.]" Upon a review of the websites of these organizations, the term "agency" appears to be misleading. These organizations appear to be non-profit advocacy organizations tasked to combat discrimination in housing. Although the work these organizations do is



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### Everyday We Strive to Help Our Clients Reach or Exceed Their Legal Goals

It means so much to our entire firm when we receive testimonials from our clients thanking us for helping them with their legal issues. The following are two recent testimonials:

*I can't say enough good things about Dibbini & Associates, most especially Joe! To work with attorneys who genuinely care about you through selling and buying simultaneously, is certainly a rarity. Joe wasn't just attentive and kind, but he was understanding and concerned, always looking out for the best interest of me, the client. Having several stressful experiences between selling and buying, consistent, steadfast support was provided on a regular basis. Despite unexpected twists and turns, Joe, Jim and their entire team made sure my needs were always important, my questions*

important and necessary, these organizations have lengthy histories in their communities and many have questioned whether these organizations can be unbiased or should be tasked with the responsibility of assisting and documenting situations which may lead to prosecution of alleged wrongdoers.

The sanctions for violations of housing discrimination laws vary and range from government fines to rent abatements and rent payment reductions to lawsuits for money damages. Additionally, brokers who are found to have discriminated run the risk of being stripped of their broker's license.

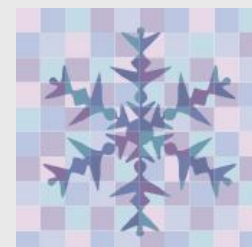
In Gov. Cuomo's February 14 announcement of the new undercover program, the Governor also highlighted other anti-discrimination related issues. First, the governor unveiled plans to have several state agencies promulgate new regulation broadening and clarifying discrimination "against individuals because of their relationship or association with members of a protected class." In short, this would make it easier for a victim to allege and prove discrimination against landlords and real estate professionals for discriminating against someone because that person is "associated" (friend, family member, co-worker, etc.) with a person that is a member of a protected group. The governor also touted recent settlement of 123 discrimination cases which resulted in numerous rent abatements, rent reductions and fines against alleged wrongdoers.

It is clear that the governor is ratcheting up antidiscrimination activities by the administration, especially related to housing. All landlords and real estate professionals should be aware of these changes and know what actions and statements are acceptable, and which are illegal actions and questions to ask potential candidates, in order to protect themselves. In order to maintain compliance with the new initiative and regulations to come, you must be trained in the relevant law in order to avoid investigations, prosecution or suits. Failure to anticipate these changes could result in financial sanctions and could threaten professional licenses even if perceived bias is unintentionally. For help with training or preparing for these changes, to ask any questions or obtain legal representation against discrimination actions contact James G. Dibbini & Associates, P.C. at 914-965-1011 or visit our website at [www.dibbinilaw.com](http://www.dibbinilaw.com).

\*Link to Cuomo's website discussing the new program can be found here: <https://www.governor.ny.gov/news/governor-cuomo-announces-initiative-strengthen-states-anti-discrimination-efforts>

*always carefully answered and explained thoroughly. Prompt responses were always provided to all and any questions, big or small, whether my inquiries were called in or emailed. I am eternally grateful to this team, and will always refer to friends and family. Thanks, Joe for holding my hand through our crazy experiences! You provided great comfort during an agonizing transitional journey. You guys are the best!!*  
- Angela V.

*I'm not one to ever review anything but the Dibbini Law firm well deserves it for all of their great service to my company. I am totally satisfied and impressed with their people from the administrative side to the various attorneys who have represented us in court. I am especially impressed with the professional manner in which the Dibbini attorney's have conducted themselves in court whether in front of the judge or in negotiating settlements with defendants. I can see for myself that the Judges also appreciate this professionalism and that can only benefit me in court. I have used this firm for almost a year and they have handled about a 20 + cases for me. On the billign side I always know what to expect and there are no surprises. One thing I especially like is that every Dibbini invoice includes a detailed summary of every court appearance or case outcome. Finally, let me say that as a Landlord you might feel that often the court "process" is somewhat stacked against you. With Dibbini, I feel much more empowered to fight the system.*  
- DK





### Thank you...

Referrals from current/former clients and friends are the greatest compliment our firm receives. We are grateful for every referral, thank you!

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### Winter is Not Over Yet: Keeping Warm While Saving Money

You can save 10 percent on your winter heating bills by adjusting your thermostat 10 to 15 degrees cooler for the eight hours you're at work. If you cut it back an additional eight hours when you sleep, you might be able to save 20 percent on your heating bills this Winter!

To view other ways to save on home heating, click [here](#).

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Stay In Touch

