

NY expands affordable housing protections

New guidelines combat insurance discrimination

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Affordable housing providers and tenants are now better protected from insurance discrimination in New York.

In an announcement earlier this week, Gov. Kathy Hochul and the New York State Department of Financial Services barred insurers from inquiring about or making coverage choices based on a property's status as an affordable housing development or on the level or source of a tenant's income.

"With this new guidance, we are putting insurers on notice: New York will not tolerate bias against our affordable housing providers," Hochul said. "Insurance discrimination drives up costs for property owners and renters and puts countless affordable homes at risk. My administration is stepping up our enforcement of housing discrimination of all kinds to ensure fairness in our housing market and to keep costs down for all New Yorkers."

Insurers "cannot inquire about on an application, or cancel, refuse to issue, refuse to renew or increase the premium of a policy, or exclude, limit, restrict, or reduce coverage under a policy based on the fact that the real property being insured constitutes affordable housing," a circular letter from the state Department of Financial Services states.

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New guidance in New York bars insurance providers from discriminating against affordable housing providers and tenants.

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The measure would protect the following from insurance discrimination:

- Buildings with dwelling units that are affordable to residents at a specific income level, as outlined in a government agreement;
- Owners or tenants of a residential rental building or the shareholders of a cooperative housing corporation receive governmental rental assistance;
- The level or source of income of the building's residents, or
- Whether the building is owned by a limited equity cooperative, a public housing authority or a cooperative housing corporation subject to certain provisions of the private housing finance law.

“As the cost of housing continues to rise across the country, underserved communities of color face mounting prejudice as they look for a place to live,”

Assemblymember Michaelle Solages said in a written statement Tuesday. “Prohibiting insurers from taking part in these practices will promote fairness and accessibility in the housing market for groups that have been oppressed, both historically and systemically, for generations.”

This follows Hochul's housing agreement to increase the state's housing supply, protect tenants and homeowners and combat discrimination against Section 8 Housing Choice Voucher recipients and affordable housing providers, which was part of the fiscal year 2025 budget.

If you believe you've experienced unlawful housing discrimination, you can file a complaint with the New York State Division of Human Rights by visiting forms.ny.gov/s3/nysdhrcomplaint or by calling 1-888-392-3644.

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