



Name: \_\_\_\_\_ Day Phone: (\_\_\_\_) \_\_\_\_\_ Evening Phone: (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

How long have you resided here? \_\_\_\_\_ to \_\_\_\_\_ Reason for moving: \_\_\_\_\_

Does your current housing meet basic standards of health and safety?  Yes  No

Previous Address: \_\_\_\_\_  
Street City State Zip

How long did you reside here? \_\_\_\_\_ to \_\_\_\_\_ Reason for moving: \_\_\_\_\_

List **ALL** persons who will live in the apartment. List Head of Household first.

**\*Race Code:** 1-White, 2-Black, 3-Native Hawaiian/Other Pacific Islander, 4-Asian, 5-American Indian/Alaska Native

Last Name	First Name	MI	Relationship To Head of Household	Date of Birth	Student?	US Citizen?	*Race? Optional	Hispanic? (Y/N) Optional	Social Security Number
			Head						

**INCOME & ASSET INFORMATION**

GROSS MONTHLY AMOUNTS

TOTAL VALUE

TYPE OF INCOME	HEAD	CO-HEAD	ALL OTHER OCCUPANTS
Wages	\$	\$	\$
Unemployment	\$	\$	\$
Social Security	\$	\$	\$
Public Assistance	\$	\$	\$
Pensions/Annuity	\$	\$	\$
Disability/SSI	\$	\$	\$
Child Support/Alimony	\$	\$	\$
Other	\$	\$	\$

TYPE OF ASSET	HEAD	CO-HEAD	ALL OTHER OCCUPANTS
Savings Account(s)	\$	\$	\$
Checking Account(s)	\$	\$	\$
CDs, IRA, 401k, Etc.	\$	\$	\$
Stocks & Bonds	\$	\$	\$
Real Property	\$	\$	\$
Cash on Hand	\$	\$	\$
Any Other	\$	\$	\$



Do you receive any rental assistance (Section 8) at your current residence?  Yes  No If Yes, \$\_\_\_\_\_ / month

Does any member of the household qualify for an "Artist Preference"?  Yes  No \*See attached description and required documentation

Does any member of the household require a handicap accessible OR vision/hearing assisted unit?  Yes  No

Are there any special housing needs or reasonable accommodations that the household will require?

\_\_\_\_\_

Have you or any member of the household ever been convicted of a felony?  Yes  No

If yes, explain: \_\_\_\_\_

Are any members of the household subject to a lifetime sex offender registration requirement in any state?  Yes  No

*Your signature(s) below serves as written permission for Gerard Block Apartments to obtain a criminal background report for all applicants over the age of 18. The applicant(s) affirms that all information in this application is true and complete. The applicant(s) also understands that a personal interview must be held, and assets and income verified and approved. All information received is confidential. This application creates no obligation for the Landlord or applicant. After the application process is approved, a security deposit must be made and a lease agreement signed by all applicants of legal age. If accepted, Applicant(s) certify this apartment will be their sole residence. The undersigned makes the foregoing representation knowing that if any of such proves false, Gerard Block Apartments may cancel and annul any lease given in reliance upon such information.*

**All Applicants age 18 and older MUST sign this application.**

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If a portion or all of the application is completed by someone other than the applicant, the following statement must be completed.  
I/We have completed all or part of this application at the request of the applicant(s):

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE RETURN THIS FORM TO:**

**Arbor Housing and Development  
26 Bridge Street, Corning NY 14830  
Phone: 607-654-7487 Fax: 607-973-2202**

**All applications are subject to criminal background checks. In the case of rejection, applicant will be provided notice of such rejection in writing within 2 weeks of submitting the application to Gerard Block Apartments. Applicant is afforded 10 business days following notification of rejection to request an appeal, in writing, of the rejection decision.**

## **ARTIST PREFERENCE**

**Gerard Block Apartments will have a preference for applicants that are Artists for 10 of the 28 units at the property. If you are an Artist and would like to be considered for this preference please read the eligibility requirements below. If you would like to apply for this preference check the box at bottom of this document, sign, and return this form with your application. Please keep Section II and Section III to prepare for your interview.**

### **I. Definition and Required Documentation**

**An artist shall be defined as:**

- A person who works in, or is skilled in any of the fine arts, including but not limited to, painting, drawing, sculpture, book arts, printmaking and mixed-media;
- A person who creates imaginative works of aesthetic value including but not limited to literature, poetry, photography, music composition, choreography, architecture, film and video;
- A person who creates functional art including but not limited to jewelry, rugs, furniture, pottery, toys, and quilts;
- A performer or theatrical artist, including but not limited to singers, dancer, musicians, actors, performance artists, costume, lighting, sound, and set designers; and
- In all art disciplines, a designer, technician, craftsperson, teacher, or administrator who is dedicated to using their expertise within the community to support, promote, present, and/or teach and propagate their art form through events, activities, performances and classes.

Eligible persons are those who can show that they participate in and have an ongoing commitment to the creative arts, and a willingness and ability to contribute to a cooperative/creative environment.

Artist applicants must:

- Submit Work Samples of at least three digital samples of their recent work (not older than five years), and a curriculum vitae/resume. Samples may include photographs of a body of work, as well as YouTube or MP3 links. All work should be presented in a professional manner. These artistic works will not be judged on content, but rather simply in support of qualifying the applicant as an artist. The work samples, and curriculum vitae/resume will be reviewed by an Artist Selection Committee to determine qualification for the “Artist Preference.”
- Participate in an interview session with the Artist Selection Committee. Please see prompts below to prepare for the interview.

Please check this box if you have read the requirements of the Artist Preference and would like to apply for a unit with the Artist Preference.

Name \_\_\_\_\_ Date \_\_\_\_\_

E-Mail \_\_\_\_\_ Phone \_\_\_\_\_

Artistic preference is permitted pursuant to HUD Handbook 4350.3 2-25, subject to any applicable federal, state or local preferences.

## II.

### Artist Preference Review Process

Arbor Housing and Development has formed an Artist Selection Committee comprised of local artists and creative industry leaders. The Artist Selection Committee will meet with pre-qualified prospective tenants and their families, to determine their level of commitment to the arts, community, and their art form. This will also help us understand your needs and expectations with regard to living in an artist community.

**The committee will not judge the content or quality of an applicant's artistic work.** Applicants will need to demonstrate that they are actively engaged in their art form. An artist's creative work **need not provide the primary source of income** as it is often customary for artists to work in another field to support themselves and their art form. Only one member of a household needs to demonstrate a commitment as a practicing artist, in order to qualify for the artist preference.

Artistic processes that are extremely noisy, require industrial zoning or involve hazardous materials will not be permitted to be conducted at Gerard Block Apartments. Examples of artistic endeavors that may be excluded include welding, woodworking using power tools, amplified band practice and glass blowing. **If you are an artist in one of these art forms you may still be eligible for the Artist Preference. However, the tenant will not be allowed to perform these art processes in their unit.**

**Scoring:** An interview is conducted, scored by interviewers and average scores are ranked for selection. Those scoring 5 or higher out of a possible 10 will meet the artist preference criteria and offered a unit in lottery order. Those scoring a 4 or less out of a possible 10 shall be placed on the non-artist wait list.

**Fair Housing:** Arbor Housing and Development will market and lease the Gerard Block Apartments in accordance with all federal and state fair housing laws. No applicant will be discriminated against due to race, color, religion, sex, age, familial status, or national origin. All committee members will receive a copy of the pamphlet, FAIR HOUSING EQUAL OPPORTUNITY FOR ALL, published by the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal opportunity.

### III. Required from the Artist: 1. Artist Portfolio & 2. Interview Session

**If your rental application is approved, Property Management will contact you with directions on how to submit your work samples and to schedule an interview.**

Artist applicants must:

- Submit Work Samples of at least three digital samples of their recent work (not older than five years), and a curriculum vitae/resume. Samples may include photographs of a body of work, as well as YouTube or MP3 links. All work should be presented in a professional manner. These artistic works will not be judged on content, but rather simply in support of qualifying the applicant as an artist. The work samples, and curriculum vitae/resume will be reviewed by an Artist Selection Committee to determine qualification for the "Artist Preference."
- 2. Participate in an interview session with the Artist Selection Committee. Please see prompts below to prepare for the interview.

### **Prompts for Interview Session with Artist Selection Committee.**

Please be as specific with as much concrete detail (names, dates . . .) as possible. We encourage you to take notes for yourself well ahead of the interview in preparation.

- How would you describe 1. your art form and 2. your artistic process? 3. your inspiration? Be as specific as possible with form, media, time, equipment, themes, mentors . . . .
- Consider your experience/education/training with art that has led you to this point in your life: Who were your top few mentors and/or what were your most influential experiences that have shaped your goals and your vision--and what is that overall vision? Think of family, friends, teachers, colleagues . . . studio mates . . . YouTube videos . . . books . . . travel . . . galleries/museums . . . .
- Know the details (what, where, when, with whom . . . .) you last presented your art.
- How have collaborative creative experiences (with artists, schools, groups, businesses, organizations) shaped you as an artist?
- Why did you apply to live in the Gerard Block Apartments? Speak to your motivation.
- What are the advantages of living in an artists' community such as this? What impact do you imagine this experience will have on you/ (your family) and your art?
- Vice versa, consider what impact you could have on such a creative community.
- In addition, consider what impact you could have on the overall community of the city.
- Consider your engagement with people of different races, cultural backgrounds, ability, artistic disciplines, sexual orientations, age, and beliefs--how do you respond to living in a community with such diversity.

Notes:

**Arbor Housing and Development**  
**Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>**

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Arbor Housing and Development** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

**Protections for Applicants**

If you otherwise qualify for assistance under **Arbor Housing and Development**, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under **Arbor Housing and Development**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **Arbor Housing and Development** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

**Removing the Abuser or Perpetrator from the Household**

HP may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

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<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

If HP chooses to remove the abuser or perpetrator, HP may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HP must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit**

Upon your request, HP may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HP may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

- (1) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.
- (2) **You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form, or may accept another written or oral request.
- (3) **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HP will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HP's emergency transfer plan provides further information on emergency transfers, and HP must make a copy of its emergency transfer plan available to you if you ask to see it.

### **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

HP can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HP must be in writing, and

HP must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HP may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HP as documentation. It is your choice which of the following to submit if HP asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by HP with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that HP has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HP does not have to provide you with the protections contained in this notice.

If HP receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HP has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HP does not have to provide you with the protections contained in this notice.

### **Confidentiality**

HP must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

HP must not allow any individual administering assistance or other services on behalf of HP (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HP must not enter your information into any shared database or disclose your information to any other entity or individual. HP, however, may disclose the information provided if:

- You give written permission to HP to release the information on a time limited basis.



- HP needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HP or your landlord to release the information.

VAWA does not limit HP's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HP cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HP can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If HP can demonstrate the above, HP should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

### **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with **HUD Region II New York, Buffalo Field Office, Lafayette Court, 465 Main Street, 2<sup>nd</sup> Floor, Buffalo, NY 14203-1780** or **1-716-551-5755, 1-716-551-5787 (TTY)**.

### **For Additional Information**

You may view a copy of HUD's final VAWA rule at <https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs>. Additionally, HP must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact **The National Domestic Violence Hotline** at 1-800-799-7233, 1-800-787-3224 (TTY), or at <https://www.thehotline.org/2018/08/31/protect-violence-against-women-act-ways-to-take-action/>.



**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

**PROVISION OF NOTICE BY HOUSING PROVIDERS OF TENANTS' RIGHTS TO REASONABLE  
MODIFICATIONS AND ACCOMMODATIONS FOR PERSONS WITH DISABILITIES.**

**466.15 Provision of notice by housing providers of tenants' rights to reasonable modifications and accommodations for persons with disabilities.**

**(a) Statutory Authority.**

Pursuant to N.Y. Executive Law section 295.5, it is a power and a duty of the Division to adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions of the N.Y. Executive Law, article 15 (Human Rights Law) and pursuant to New York Executive Law section 170-d, the New York State Division of Human Rights "shall promulgate regulations requiring every housing provider ... to provide notice to all tenants and prospective tenants ... of their rights to request reasonable modifications and accommodations" as such rights are provided for in Human Rights Law sections 296.2-a(d) and section 296.18.

**(b) Effective date.**

Executive Law section 170-d was effective March 2, 2021, pursuant to the Laws of 2021, chapter 82, section 4, by reference to the Laws of 2020, chapter 311.

**(c) Definitions.**

(1) "*Housing provider*" shall mean:

(i) "the owner, lessee, sub-lessee, assignee, or managing agent of, or other person having the right to sell, rent or lease a housing accommodation, constructed or to be constructed, or any agent or employee thereof" as set forth in New York Executive Law, article 15 (hereinafter "Human Rights Law") section 296.5; or

(ii) "the owner, lessee, sub-lessee, assignee, or managing agent of publicly-assisted housing accommodations or other person having the right of ownership or possession of or the right to rent or lease such accommodations" as set forth in Human Rights Law section 296.2-a.

(2) "*Housing accommodation*" includes "any building, structure, or portion thereof which is used or occupied or is intended, arranged or designed to be used or occupied, as the home, residence or sleeping

place of one or more human beings” as set forth in Human Rights Law section 292.10.

(3) “*Publicly-assisted housing accommodations*” shall include:

(i) “public housing” as set forth in Human Rights Law section 292.10(a);

(ii) “housing operated by housing companies under the supervision of the commissioner of housing” as set forth in Human Rights Law section 292.10(b); or

(iii) other publicly-assisted housing as described in Human Rights Law section 292.10(c), (d) and (e).

(4) “*Property Manager*” as referenced in the sample notice is an individual housing provider, or such person as the housing provider designates for the purpose of receiving requests for reasonable accommodation.

(5) “*Reasonable modifications or accommodations*” shall refer to those actions required by Human Rights Law section 296.2-a(d) and Human Rights Law section 296.18, which makes it an unlawful discriminatory practice for a housing provider or publicly-assisted housing provider:

(i) To refuse to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by the said person, if the modifications may be necessary to afford the said person full enjoyment of the premises, in conformity with the provisions of the New York state uniform fire prevention and building code, except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter's agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(ii) To refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling, including the use of an animal as a reasonable accommodation to alleviate symptoms or effects of a disability, and including reasonable modification to common use portions of the dwelling, or

(iii) In connection with the design and construction of covered multi-family dwellings for first occupancy after March thirteenth, nineteen hundred ninety-one, a failure to design and construct dwellings in accordance with the accessibility requirements of the New York state uniform fire prevention and building code, to provide that:

(a) The public use and common use portions of the dwellings are readily accessible to and usable by disabled persons with disabilities;

(b) All the doors are designed in accordance with the New York state uniform fire prevention and building code to allow passage into and within all premises and are sufficiently wide to allow passage by persons in wheelchairs; and

(c) All premises within covered multi-family dwelling units contain an accessible route into and through the dwelling; light switches, electrical outlets, thermostats, and other environmental controls are in accessible locations; there are reinforcements in the bathroom walls to allow later installation of grab bars; and there are usable kitchens and bathrooms such that an individual in a wheelchair can maneuver about the space, in conformity with the New York state uniform fire prevention and building code.

(6) “*First substantive contact*” is a term used by real estate brokers, licensed real estate salespersons, and licensed associate brokers in New York State. For purposes of this regulation, the term shall have the same meaning as applied under N.Y. Real Prop. Law § 443 and 19 N.Y.C.R. R. § 175.28.

**(d) Actions required by Executive Law section 170-d.**

(1) Housing providers that are the owner, lessee, sub-lessee, assignee, or managing agent of a housing accommodation or publicly-assisted housing accommodation, must provide notice, as provided for in this regulation, to all new and current tenants in the following manner:

(i) Within 30 days of the effective date of their tenancy;

(ii) for current tenants, within thirty days after the effective date of Executive Law section 170-d.

(iii) In writing, and in 12-point font or larger, or other easily legible font.

(iv) Include telephone number(s) and e-mail of the property manager or other person responsible for accepting reasonable accommodation requests.

(v) By email, text, electronic messaging system, facsimile, or hardcopy. An electronic communication containing a link to the notice required pursuant to this regulation shall be permissible, provided the communication also contains text to inform the prospective tenant that the link contains information regarding tenants' rights to reasonable accommodations for persons with disabilities. The notice must be available for printing and downloading.

(vi) Where such communication is in paper form, the notice must be included within such communication, or by providing the notice in an accompanying document.

(vii) May be accomplished by including the notice in or with other written communications, such as a lease or other written materials routinely provided to tenants.

(viii) Oral disclosure does not satisfy the requirements imposed by this section.

(ix) "Posting" of the notice pursuant to paragraph (d)(3) of this subdivision, either on paper, on a bulletin board, or on an electronic bulletin board or notice area, does not satisfy the requirements imposed by this section.

(2) A real estate broker shall be responsible to ensure that each individual licensed pursuant to Article 12-A of the New York Real Property Law and associated with such broker provides notice with regard to available housing accommodations, as provided for in this regulation, to all prospective tenants in the following manner:

(i) Upon first substantive contact.

(ii) In writing, and in 12-point font or larger, or other easily legible font.

(iii) By email, text, electronic messaging system, facsimile, or hardcopy. An electronic communication containing a link to the notice required pursuant to this regulation shall be permissible, provided the communication also contains text to inform the prospective tenant that the link contains information regarding tenants' rights to reasonable accommodations for persons



with disabilities. The notice must be available for printing and downloading.

(iv) Where such communication is in paper form, the notice must be included within such communication, or by providing the notice in an accompanying document.

(v) Oral disclosure does not satisfy the requirements imposed by this section.

(vi) "Posting" of the notice pursuant to paragraph (d)(3) of this subdivision, either on paper, on a bulletin board, or on an electronic bulletin board or notice area, does not satisfy the requirements imposed by this section.

(3) In addition to the delivery of notice in paragraphs (d)(1) and (d)(2) of this subdivision, all housing providers shall post the notice in the following manner:

(i) As required by 9 NYCRR 466.3 ; and

(ii) all websites created and maintained by housing providers shall prominently and conspicuously display on the homepage of such website a link to the Division's notice as required this regulation which shall be made available by the Division.

(4) The notice is to advise individuals of their right to request reasonable modifications and accommodations for disability pursuant to Human Rights Law section 296.2-a(d) (publicly-assisted housing) or Human Rights Law section 296.18 (private housing).

**(e) Content of the required notice.**

The following shall be deemed sufficient notice when provided to the individual to be notified.

**NOTICE DISCLOSING TENANTS' RIGHTS TO  
REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES**

**Reasonable Accommodations**

The New York State Human Rights Law requires housing providers to make reasonable accommodations or modifications to a building or living space to meet the needs of people with disabilities. For example, if you have a physical, mental, or medical impairment, you can ask your housing provider to make the common areas of your building accessible, or to change certain policies to meet your needs.

To request a reasonable accommodation, you should contact your property manager by calling \_\_\_\_\_ or \_\_\_\_\_, or by e-mailing \_\_\_\_\_.<sup>\*</sup> You will need to inform your housing provider that you have a disability or health problem that interferes with your use of housing, and that your request for accommodation may be necessary to provide you equal access and opportunity to use and enjoy your housing or the amenities and services normally offered by your housing provider. A housing provider may request medical information, when necessary to support that there is a covered disability and that the need for the accommodation is disability related.

If you believe that you have been denied a reasonable accommodation for your disability, or that you were denied housing or retaliated against because you requested a reasonable accommodation, you can file a complaint with the New York State Division of Human Rights as described at the end of this notice.

Specifically, if you have a physical, mental, or medical impairment, you can request:<sup>†</sup>

Permission to change the interior of your housing unit to make it accessible (however, you are required to pay for these modifications, and in the case of a rental your housing provider may require that you restore the unit to its original condition when you move out); Changes to your housing provider's rules, policies, practices, or

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<sup>\*</sup> The Notice must include contact information when being provided under 466.15(d)(1), above. However, when being provided under (d)(2) and when this information is not known, the sentence may read "To request a reasonable accommodation, you should contact your property manager."

<sup>†</sup> This Notice provides information about your rights under the New York State Human Rights Law, which applies to persons residing anywhere in New York State. Local laws may provide protections in addition to those described in this Notice, but local laws cannot decrease your protections.

services; Changes to common areas of the building so you have an equal opportunity to use the building. The New York State Human Rights Law requires housing providers to pay for reasonable modifications to common use areas.

Examples of reasonable modifications and accommodations that may be requested under the New York State Human Rights Law include:

If you have a mobility impairment, your housing provider may be required to provide you with a ramp or other reasonable means to permit you to enter and exit the building.

If your healthcare provider provides documentation that having an animal will assist with your disability, you should be permitted to have the animal in your home despite a “no pet” rule.

If you need grab bars in your bathroom, you can request permission to install them at your own expense. If your housing was built for first occupancy after March 13, 1991 and the walls need to be reinforced for grab bars, your housing provider must pay for that to be done.

If you have an impairment that requires a parking space close to your unit, you can request your housing provider to provide you with that parking space, or place you at the top of a waiting list if no adjacent spot is available.

If you have a visual impairment and require printed notices in an alternative format such as large print font, or need notices to be made available to you electronically, you can request that accommodation from your landlord.

### **Required Accessibility Standards**

All buildings constructed for use after March 13, 1991, are required to meet the following standards:

Public and common areas must be readily accessible to and usable by persons with disabilities;

All doors must be sufficiently wide to allow passage by persons in wheelchairs; and

All multi-family buildings must contain accessible passageways, fixtures, outlets, thermostats, bathrooms, and kitchens.

If you believe that your building does not meet the required accessibility standards, you can file a complaint

with the New York State Division of Human Rights.

### **How to File a Complaint**

A complaint must be filed with the Division within one year of the alleged discriminatory act or in court within three years of the alleged discriminatory act. You can find more information on your rights, and on the procedures for filing a complaint, by going to [www.dhr.ny.gov](http://www.dhr.ny.gov), or by calling 1-888-392-3644. You can obtain a complaint form on the website, or one can be e-mailed or mailed to you. You can also call or e-mail a Division regional office. The regional offices are listed on the website.