



**New York State Senate and Assembly
Joint Legislative Budget Hearing on Housing
February 25, 2026**

**Testimony of Britny McKenzie, Policy Director
Fair Housing Justice Center, Inc.**

My name is Britny McKenzie, and I am the Policy Director at the Fair Housing Justice Center, Inc. (“FHJC”). I appreciate the opportunity to provide this written testimony to the New York State Senate and Assembly committees on Housing and to the Senate Finance Committee Chair Liz Krueger and Assembly Ways and Means Committee Chair J. Gary Pretlow regarding the State Fiscal Year (SFY) 2026-27 Budget. We submit this testimony in support of the following:

- Allocate 8 million for the Fair Housing Testing, Education and Networking program of the New York State Homes and Community Renewal (HCR) agency
- Pass The Source of Income Proxy Discrimination Act (S1130/A4120)
- Pass The Vicarious Liability for Housing Discrimination Act (S2635/A1738)

The FHJC is a non-profit civil rights organization based in Queens, NY. The FHJC service area covers over 13 million people across the five boroughs of New York City and the surrounding counties of Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester, representing more than 65% of the state population. Our mission is to eliminate housing discrimination, promote policies that foster open, accessible, and inclusive communities, and strengthen the enforcement of fair housing laws. The FHJC primarily serves low-income individuals and communities that have experienced historic and continuing patterns of segregation, discrimination, and exclusion in housing. The FHJC’s services are provided to the public free of charge and without regard to household income. Its investigations have become the basis for over 170 lawsuits with a nearly perfect record of favorable outcomes. Its work has led to a monetary recovery of over \$55 million and has opened over 81,000 housing units to people that were previously excluded.

NYS HCR’s Fair Housing Testing, Education and Networking program

We request that the budget allocate \$8 million for the Fair Housing Testing, Education and Networking program (“FHTP” or “The Program”), which funds a network of nonprofit fair housing organizations across the state, including ours, doing systemic fair housing work. Since its inception three years ago, this program has proven successful with over 2,000 fair housing tests, 300 outreach events and 46 enforcement actions that have opened housing units that were once unavailable due to illegal discrimination. Our \$8 million budget request aligns with the Black, Puerto Rican, Hispanic, and Asian Legislative Caucus’s [2026 Peoples Budget](#). FHTP has received funding consecutively since its inception. The State funded the program at \$4 million last year

(FY26), and the year before (FY25), which has allowed us to hire new staff, conduct systemic fair housing tests and educate our communities. Boosting funding to \$8 million will cover a wider range of crucial fair housing activities, including intake and direct advocacy on behalf of those facing discrimination, expanding our capacity to serve our population and dense region. Despite nonprofit fair housing organizations playing an outsized role in fielding fair housing complaints in the state – in her Executive Budget, the Governor is proposing to cut the program by 50% to \$2 million, which would significantly scale back fair housing efforts throughout New York.

Investments in fair housing enforcement are critical; as the state continues to invest in rental assistance programs, source of income enforcement is crucial to the successful utilization of vouchers, such as the Housing Access Voucher Program (HAVP). We urge the legislature to step up to protect the rights of New Yorkers to live in the communities of their choice, free from discrimination.

The Source of Income Proxy Discrimination Act (S1130/A4120)

Proxy discrimination occurs when landlords or their agents attempt to use a seemingly neutral factor to deny housing to members of a protected class. In the case of Lawful Source of Income, landlords are using income requirements to frustrate the intent of the 2019 law—in such a way that they discriminate against prospective tenants based on SOI. In just six years since that law was passed, SOI cases have become a major source of fair housing complaints.

This act would protect tenants using vouchers or other public assistance – such as SSI, Section 8, or CityFHEPs -- from income requirements that have the intent or effect of frustrating existing protections for Lawful Source of Income (SOI).

The Vicarious Liability for Housing Discrimination Act (S2635/A1738)

The Vicarious Liability for Housing Discrimination Act will protect New Yorkers from housing discrimination by amending New York Executive Law § 296 – Human Rights Law to clearly state that owners and managers of housing accommodations are vicariously liable for the discriminatory conduct of their agents and employees. This act will better protect tenants and homebuyers from housing discrimination by holding corporate landlords, property management companies, and real estate brokerages accountable for illegal conduct that they have the power to prevent.

We cannot afford to neglect fair housing in this time. New York State is facing a housing shortage. We must ensure that everyone can access housing of their choice, free from discrimination regardless of their protected classes or characteristics they may possess. It is imperative for the state legislature to pass a budget and policies for all New Yorkers, renters and homeowners alike, to live in thriving communities that are inclusive and open to all.

Sincerely yours,

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