

NCJAR 2026 VIRTUAL FAIR HOUSING SUMMIT

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DCR anti-discrimination trainings

https://bit.ly/ETU_Trainings



NJ DIVISION ON
CIVIL RIGHTS

DCR Overview

The New Jersey Division on Civil Rights (DCR) is the state agency charged with enforcing New Jersey's civil rights laws:

- Law Against Discrimination (NJLAD)
- New Jersey Family Leave Act (NJFLA)
- Fair Chance in Housing Act (FCHA)

The mission of DCR is to protect the people of New Jersey from discrimination and bias-based harassment in employment, housing, and public accommodations.



DCR Overview

NJ Division on Civil Rights Complaints, 2025

- Verified Complaints: 884
(271 or 31% housing)
- Investigations Completed: 957
(306 or 32% housing)
- Findings of Probable Cause: 63
(45 or 71% housing)



DCR Overview

Trends and Priorities

1. Source of Lawful Income Discrimination
2. Failure to Accommodate (including assistance animals)
3. Fair Chance in Housing Act (consideration of criminal history)
4. AI and Algorithmic Discrimination
5. Appraisal Discrimination



POLL: Which topics would you most like to learn more about? Choose 2.

Source of Lawful Income

Source of Lawful Income Discrimination

Discrimination may
sound like this:



**"We don't accept
vouchers."**



Source of Lawful Income

The LAD prohibits discrimination in housing based on the source of lawful income a tenant uses to pay rent.

A housing provider cannot refuse to rent to someone because they rely on:

- Government subsidies or vouchers
- Other forms of income

- HUD Housing Choice Voucher Program (Section 8)
- Temporary or state rental assistance programs
- Rental assistance provided by a nonprofit organization

- Unemployment benefits
- Disability or veteran's benefits
- Child support
- Alimony
- Supplemental security income

Source of Lawful Income

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- Government subsidies or vouchers
- Other forms of income

“It shall be...unlawful discrimination...[to apply], in assessing eligibility for the rental of housing, any minimum income requirement or financial standard that is not based exclusively on the portion of the rent to be paid by the tenant.”

Source of Lawful Income

Case Example: Weehawken, NJ

- **March 8**: Tenant sent housing provider emails advising that she was approved for rental assistance from the Eviction Prevention Program (EPP) and Section 8 housing voucher program. She advised that documents were needed from the housing provider to participate in the programs.
- **March 20**: Case manager at EPP program advised tenant that her rental assistance application was declined due to failure to provide the required documents. The tenant was ultimately evicted from her unit.
- **March 23**: Housing provider replied to tenant's emails, saying "We need to discuss this because I don't take Section 8."
- Housing provider later denied the alleged discrimination, saying that they "did not know" that they could not refuse Section 8, but that they "corrected it a week later."

Source of Lawful Income

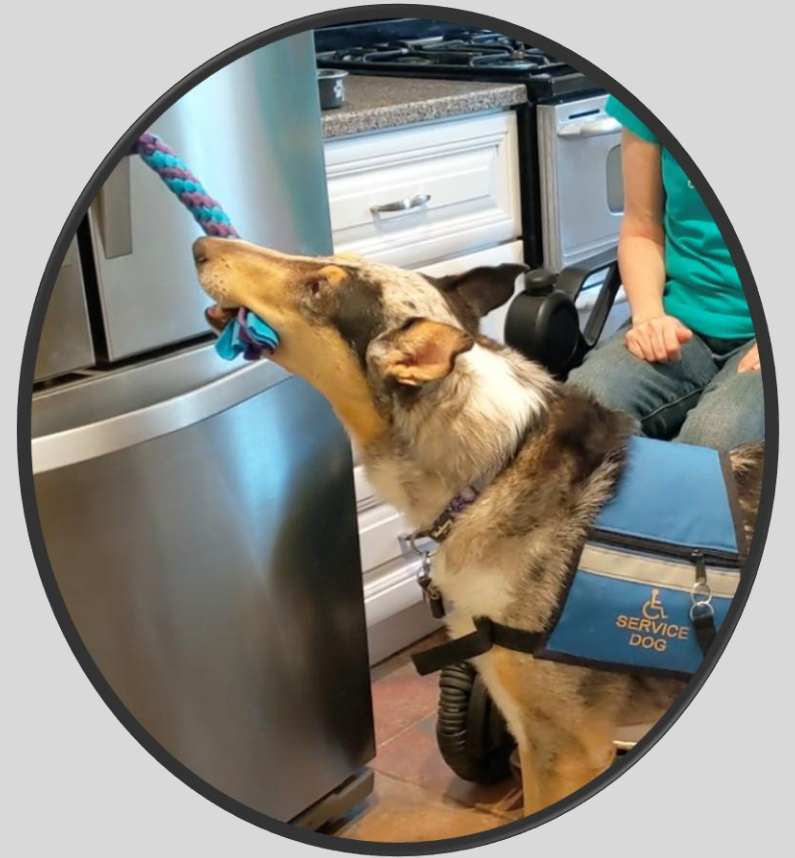
According to 2025 HUD data:

- Over 300,000 people in NJ rely on rental assistance
- 22% have a disability
- 49% are in 62+ households
- 75% are in people of color headed households



Failure to Accommodate: Assistance Animals

A housing provider is required to modify or make exceptions to its policies governing animals when it may be necessary for a person with a disability to be able to fully use and enjoy the housing.



Failure to Accommodate: Assistance Animals

Service/guide animals and emotional support animals are not the same:

- Service or guide dogs are individually trained to perform specific tasks.
 - They are **automatically exempt** from no-pet policies.
- Emotional support animals (ESAs) help improve at least one symptom of a disability.
 - They are **not automatically exempt** from no-pet policies.



Failure to Accommodate: Assistance Animals

Players Place II Condominium Association, Inc. v. K.P. (2024)

- The lease included a clause prohibiting pets larger than 30 lbs.
- The tenant's significant other, who has mental health conditions, moved in with an ESA weighing over 30 lbs. – she feels safer with a large dog
- The tenants requested an accommodation and provided documentation
- The request was rejected because the ESA's weight violates Association rules and the ESA was not registered



Fair Chance in Housing Act (FCHA)

The Fair Chance in Housing Act (FCHA) seeks to create a fair balance between legitimate safety needs and the rights of applicants.

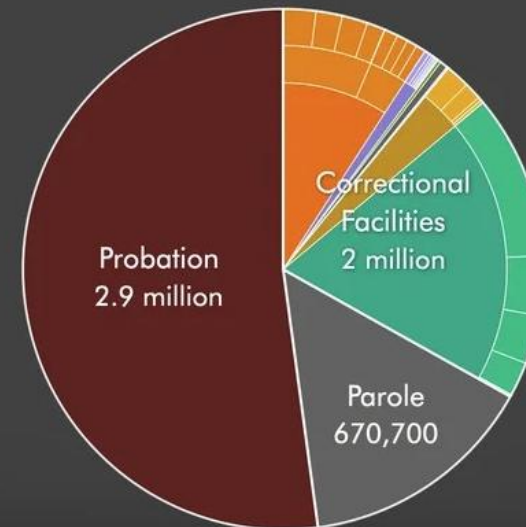
BRENNAN
CENTER
FOR JUSTICE

ANALYSIS

Just Facts: As Many Americans Have Criminal Records as College Diplomas

With as many criminal convictions as college degrees, it's more evident than ever why "ban the box" laws are important for the economy.

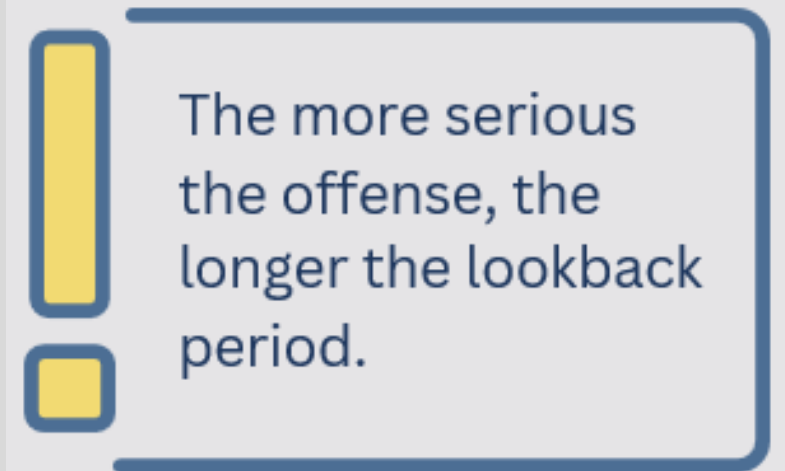
The U.S. justice system controls over 5.5 million people, more than half of whom are on probation.



Fair Chance in Housing Act (FCHA)

The FCHA includes a lookback period for certain types of convictions:

- First-degree indictable offense – past 6 years
- Second- and third-degree indictable offense – past 4 years
- Fourth-degree indictable offense – past 1 year



The more serious the offense, the longer the lookback period.

Fair Chance in Housing Act (FCHA)

Case Study: JD v Acme Apts.

- ▶ **2008:** JD was convicted of armed robbery and kidnapping to facilitate a crime.
- ▶ **2017:** JD was released from prison and moved into stable housing with his family.
- ▶ **2025:** JD applied to a new apartment, submitting a \$75 application and \$300 hold fee.
 - A screening service denied JD due to the results of a criminal background check.
 - JD requested an appeal and the leasing office sent him back to the screening service.
 - The screening service told JD the final decision rested with the housing provider.
 - The leasing office informed JD they would not consider his appeal.

Fair Chance in Housing Act (FCHA)

“

Tenant screening reports have significant systemic errors and problems, such as tagging the wrong person with a criminal or eviction record, reporting of incomplete or misleading records, and reporting of sealed or expunged records.

- *National Consumer Law Center*

”

Reports don't account for:

- Plea bargains
- Misdemeanors, nonviolent or minor offenses
- Racial bias in policing and prosecutions
- People can change

“

We have no evidence that tenant screening scores or recommendations are predictive or meaningful at all.

- *Consumer Financial Protection Bureau*

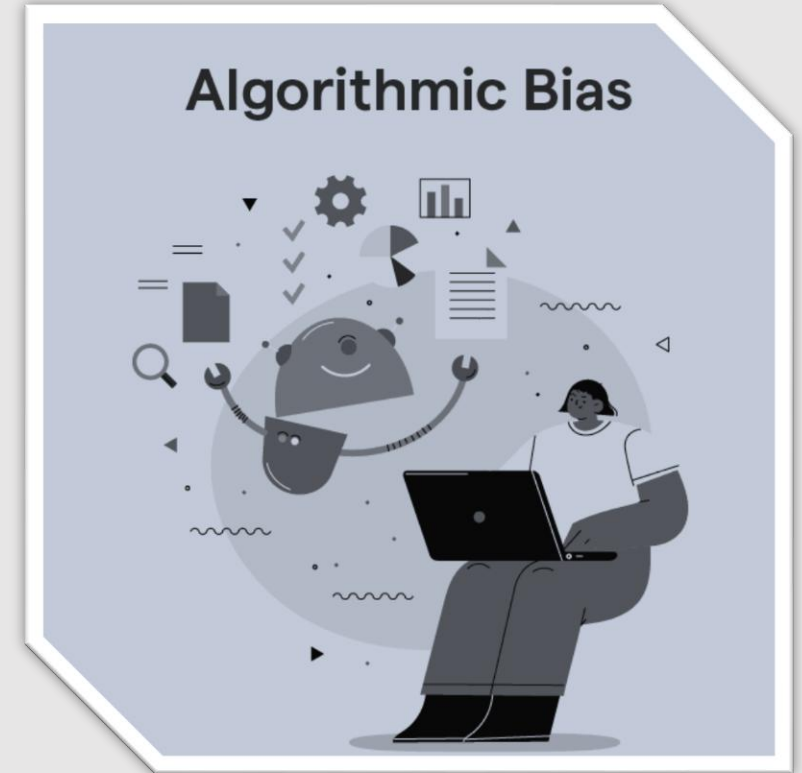
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AI and Algorithmic Discrimination

Algorithmic discrimination occurs when the use of automated tools leads to decisions that put people at a disadvantage because of protected characteristics.

The LAD prohibits all forms of discrimination, whether the discriminatory conduct was the result of a decision made by an automated decision-making tool or by a human.



AI and Algorithmic Discrimination

Case example: Louis v. SafeRent Solutions, LLC

Class-action discrimination lawsuit against SafeRent, a third-party tenant screening vendor

Case alleged that SafeRent's scoring algorithm used credit history to assign disproportionately lower scores to Black and Hispanic applicants

Algorithm allegedly didn't consider housing vouchers

Housing providers relied on these scores for decisions, rejecting Black and Hispanic renters and those using housing vouchers at higher rates



AI and Algorithmic Discrimination



Risk assessment and due diligence at your fingertips™

Gain instant knowledge prior to face-to-face engagements to better understand and address risk. Using as little as an incoming phone number, FOREWARN can provide real-time verification of an individual from the palm of your hand, enabling safer engagements and smarter interactions.

“The real estate agent can essentially screen out people they don't want by saying, ‘Oh, this person drives a Ford truck and I only want to sell to high end people so I'm just gonna get rid of this customer’ ...They are putting instantaneous background assessments — lots of information about a person, some of which might not be true — in the hands of regular citizens, people who may not be equipped to use that information without bias.”
-- Jeff Jockisch, data broker expert

“Because poor, Black or Latino people seeking real estate agents will likely never know if they have been profiled by agents using FOREWARN, and are therefore potentially being ignored without knowing why, the app can facilitate discrimination and further widen the already large gap between white homeowners and those who are Black or in other minority groups.” -- Ridhi Shetty, Center for Democracy and Technology's Privacy & Data Project

Source: The Record, [How a little-known tool is sweeping the real estate industry by giving instant access to vast amounts of homebuyer data](#) | [The Record from Recorded Future News](#)



Appraisal Discrimination

DCR Home Appraisal Discrimination Initiative

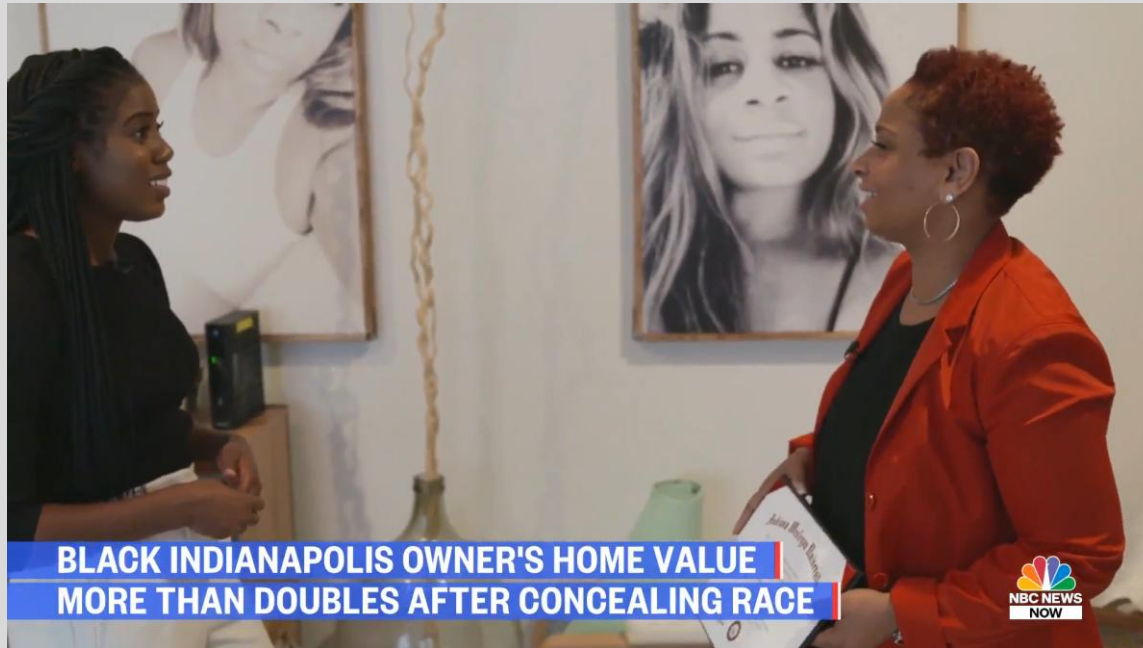
- In collaboration with the Division of Consumer Affairs
- Seeks to eradicate persistent inequities in home appraisals through key actions

Appraisal Discrimination occurs when a home or property is appraised at a lower value based on the race, ancestry, national origin, or other protected characteristics of the homebuyer, the homeowner, or an entire community.



Appraisal Discrimination

Black Indianapolis Owner's Home Value Doubles After Concealing Race

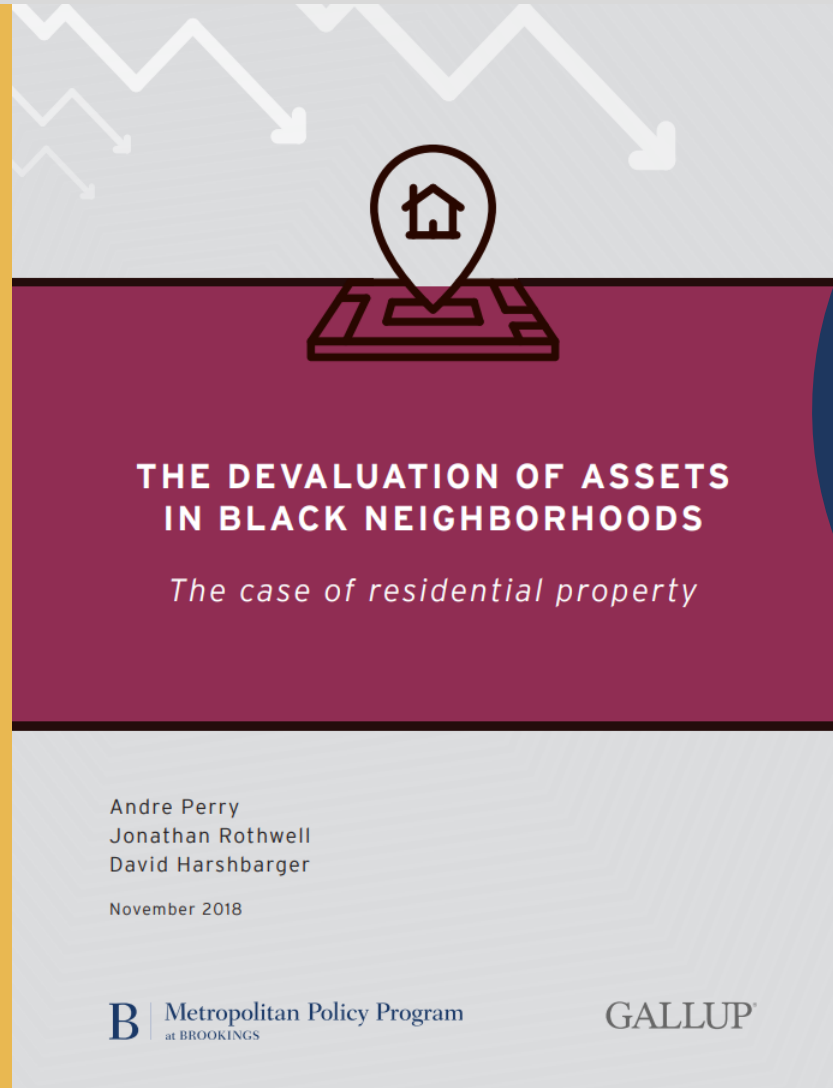


From: NBC News, <https://www.youtube.com/watch?v=TUXuDC9AVO4>

Appraisal Discrimination

According to a Brookings Institution study:

- Homes in majority Black neighborhoods are valued at half the price.
- They are underpriced by 23% or \$48,000 per home.
- This reflects \$156 billion in cumulative lost equity.



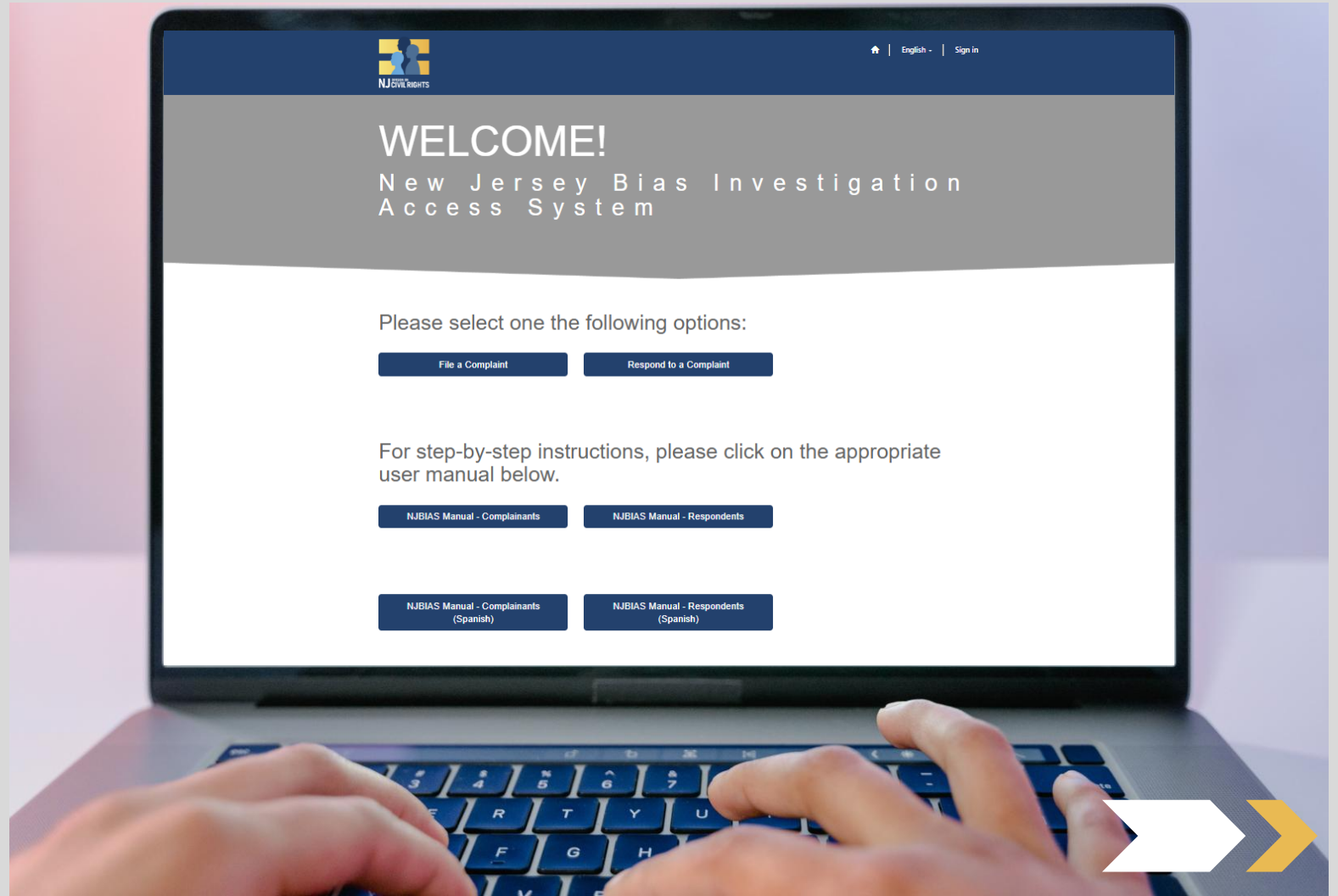
“The real problem is how we devalue people...When people see a Black neighborhood, they see twice as much crime than there actually is, they see worse education than there actually is, and they value the home in that respect.”

- Andre Perry,
Brookings Institution

NJBIAS

If you feel that your rights have been violated under the NJ Law Against Discrimination, you can file a complaint with DCR within 180 days of the alleged violation.

<https://bias.njcivilrights.gov/en-US>



Closing

- **Trainings:** Attend future DCR trainings, [https://bit.ly/ETU Trainings](https://bit.ly/ETU_Trainings)
- **Contact us:** education@njcivilrights.gov

