

**STATEMENT OF COLLABORATION**  
**between NEW JERSEY APARTMENT ASSOCIATION and the NEW JERSEY DIVISION ON**  
**CIVIL RIGHTS**

The New Jersey Legislature created the New Jersey Division on Civil Rights (DCR) seventy-five years ago to enforce the New Jersey Law Against Discrimination (LAD) and to “prevent and eliminate discrimination” in the State of New Jersey in housing, employment, and places of public accommodation. N.J.S.A. 10:5-6. The New Jersey Apartment Association (NJAA) is a leading statewide real estate organization representing the multifamily rental housing industry to ensure the success and professionalism of its membership through government affairs advocacy, education, training, and industry events. NJAA’s membership owns and manages more than 220,000 apartment homes across the state and provides housing to over a million New Jersey residents.

DCR and NJAA have a mutual interest in ensuring that the real estate marketplace in New Jersey is free of conduct and statements that unlawfully discriminate on the basis of characteristics protected by the LAD, including source of lawful income (as discussed below). See N.J.S.A. 10:5-12(g)-(h). Between DCR’s role as the State agency charged with enforcing the LAD’s prohibition on housing discrimination and NJAA’s voice as an advocate for advancing the multifamily apartment industry, they have the ability to effect important changes in New Jersey by working together. Accordingly, NJAA and DCR have agreed to use their shared expertise and resources to collaborate on a series of measures designed to promote fair housing through education on the protections guaranteed by the LAD.

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The LAD prohibits discrimination in housing on the basis of race, religion, gender, sexual orientation, gender identity or expression, national origin, disability, and other protected characteristics. N.J.S.A. 10:5-12. The LAD also prohibits discrimination by property owners, real-estate agents, and other housing providers based on a prospective tenant’s source of lawful income. N.J.S.A. 10:5-12(g)(1)-(2) & (h)(1)-(2). Sources of lawful income include subsidies or vouchers provided by federal, state, or local rental-assistance programs, including Section 8 housing choice vouchers, rental assistance obtained from the COVID-19 Emergency Rental Assistance Program (CVERAP), State Rental Assistance Program (SRAP), and temporary rental assistance (TRA). The LAD also prohibits posting or causing to be posted any advertisement for the rental of any real property “which expresses, directly or indirectly, any limitation, specification or discrimination as to . . . source of lawful income used for rental . . . payments.” N.J.S.A. 10:5-12(g)(3) & (h)(3). The New Jersey Supreme Court has recognized that discrimination on the basis of source of lawful income is particularly harmful because it impacts some of New Jersey’s most vulnerable residents.

In 2019, DCR discovered that a significant number of online advertisements for rental housing in New Jersey contained unlawful limitations, specifications, or statements that discriminated on the basis of source of lawful income. These advertisements appeared across a wide range of online platforms, and contained discriminatory statements such as “No Section 8,” “No TRA,” and “Sorry Not Section 8 or TRA Approved.”

Recognizing NJAA’s unique role in the multifamily rental housing industry, DCR and NJAA have agreed to a collaborative effort to help prevent discrimination in housing, including the posting of unlawful advertisements that state a limitation on accepting Section 8 housing vouchers, CVERAP and other temporary rental assistance programs, or other state and local housing vouchers or subsidies. NJAA and DCR have accordingly agreed to work together in the following ways:

1. NJAA will update its website to include more specific information on fair housing, and will collaborate with DCR on specific content, including links to DCR’s fact sheets and other resources on fair housing.
2. NJAA and DCR will collaborate on content for an article or a series of articles for inclusion in NJAA’s Apartment Industry Magazine and/or for a newsletter to its members, which will cover fair housing protections in New Jersey, and may include specific information on the LAD and source of lawful income discrimination, racial steering, emotional support animals, and fair housing issues related to COVID-19.
3. NJAA and DCR will collaborate on fair housing educational initiatives for NJAA members. These educational initiatives may include NJAA and DCR co-hosting one or more webinars on fair housing for NJAA’s members, covering topics including source of law income discrimination, racial steering, emotional support animals, and fair housing issues related to COVID-19. DCR will also review the materials that NJAA currently uses in its fair housing trainings and offer feedback on ways to strengthen them, especially as to New Jersey law.

Going forward, NJAA and DCR will continue to use their expertise and resources to collaborate on solutions to the problem of housing discrimination, including discrimination based on source of lawful income. Both DCR and NJAA are proud of this collaboration, and are excited to continue this productive relationship.



NEW JERSEY APARTMENT ASSOCIATION  
By: David Brogan, Executive Director

7/31/2020  
DATE



NEW JERSEY DIVISION ON CIVIL RIGHTS  
By Rachel Wainer Apter, Director

7/31/2020  
DATE