STATE OF NEW YORK

6922

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to enacting the "fair housing and source of income discrimination awareness act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "fair housing and source of income discrimination awareness act".

§ 2. Legislative findings and intent. The legislature finds and declares that discrimination based on lawful sources of income, including but not limited to housing vouchers, subsidies, and other forms of government assistance, continues to be a barrier to fair housing. To ensure that all applicants are aware of their rights and have the necessary resources to address discrimination, this act mandates that real estate brokers, real estate agents, property owners, landlords, and online housing platforms provide formal notice to applicants regarding protections against source of income discrimination. Additionally, voucher providers shall be required to supply recipients with information on advocacy organizations and reporting mechanisms for discriminatory practices.

§ 3. The public housing law is amended by adding a new section 223-c to read as follows:

§ 223-c. Source of housing discrimination awareness. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Division" means the division of housing and community renewal.

(b) "Formal notice" means a document developed by the division outlining voucher holder's rights under state and local laws regarding source of income discrimination.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) "Online housing platform" shall mean any website, application, or digital service that facilitates the advertisement, listing, or rental of housing accommodations within the state.

(d) "Real estate broker" shall have the same meaning as defined by section four hundred forty of the real property law.

(e) "Real estate agent" shall have the same meaning as the term "agent" as defined by section four hundred forty-three of the real property law.

(f) "Source of income discrimination" means the unlawful refusal to rent, lease, or otherwise deny housing opportunities based on an individual's lawful source of income, as prohibited under paragraph (a) of subdivision five of section two hundred ninety-six of the executive law.

(g) "Voucher" means rental assistance administered by a voucher provider pursuant to the federal department of housing and urban development's section eight housing choice voucher program.

(h) "Voucher holder" means a recipient of vouchers.

(i) "Voucher provider" means a "public housing agency" as such term is defined by 42 USC § 1437a(b)(6), authorized to administer vouchers in the state.

2. All real estate brokers, real estate agents, landlords, and property management companies shall provide every prospective tenant or applicant who is a voucher holder with a formal notice, as shall be developed by the division, explaining their rights against source of income discrimination. Such prospective tenants and applicants shall sign an acknowledgment of receipt of such notice, which may be in digital or paper form. If such prospective tenant or applicant refuses to sign such acknowledgment, the real estate broker, real estate agent, or landlord shall document that such notice was provided.

3. (a) Any online housing platform operating within the state shall prominently display a notice informing prospective tenants of their rights as voucher holders. Such notice shall be visible on all rental listing pages and include information about how to report suspected discrimination.

(b) Online platforms shall require all property owners, landlords, real estate agents, and real estate brokers posting listings to affirm that they are aware of and shall comply with all state and local laws prohibiting source of income discrimination.

4. All voucher providers shall:

(a) provide voucher holders with hotline or other contact information for organizations that offer advocacy, legal assistance, and guidance for individuals facing source of income discrimination;

(b) inform voucher holders of best practices for documenting potential discriminatory behavior, including maintaining written records of communications, saving advertisements, and recording interactions with landlords, real estate agents, and real estate brokers; and

(c) supply voucher holders with the appropriate contact information for reporting discrimination, including the division, the division of human rights, local enforcement agencies, and non-profits.

5. (a) Failure to provide a required notice under subdivision two or three of this section, or hotline or other contact information or recommendations for best practices under subdivision four of this section, shall constitute a violation of this section and shall be grounds for a voucher holder to file a complaint with the division or division of human rights.

(b) Any real estate broker, real estate agent, landlord, property management company, or online housing platform found to have violated

any provision of this section may be subject to civil penalties, including fines up to two hundred fifty thousand dollars per violation, as determined by the appropriate enforcement agency.

6. The division and the division of human rights shall promulgate any rules and/or regulations necessary to effectuate the provisions of this section.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made, including by emergency, and completed on or before such effective date.