

STATE OF NEW YORK

9112--A

2025-2026 Regular Sessions

IN ASSEMBLY

September 26, 2025

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to prohibiting the use of credit history in the tenant screening process for applicants who are survivors of domestic violence or recipients of rental subsidies

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

1 Section 1. Legislative findings and intent. The legislature finds that
2 survivors of domestic violence often experience financial abuse that can
3 damage their credit histories and limit their ability to obtain safe and
4 stable housing. Financial control, coerced debt, and economic isolation
5 are common tools of abuse. It is the intent of the legislature to reduce
6 barriers to housing by preventing the use of credit history as a screen-
7 ing tool when a housing applicant is a verified survivor of domestic
8 violence, as defined by existing state and federal law.

9 § 2. The real property law is amended by adding a new section 238-b to
10 read as follows:

11 § 238-b. Prohibition on use of credit history for certain survivors of
12 domestic violence. 1. For the purposes of this section, the following
13 terms shall have the following meanings:

14 (a) "Victim of domestic violence" shall mean:

15 (i) a victim of domestic violence as such term is defined in section
16 four hundred fifty-nine-a of the social services law; or

17 (ii) a person who is a victim of domestic violence, dating violence,
18 sexual assault, or stalking, as such terms are defined in the federal
19 violence against women act, 34 U.S.C. 12291(a).

20 (b) "Landlord" shall mean any owner, lessor, sublessor, assignor, or
21 managing agent of, or any other person having the right to rent or lease

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

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1 a housing accommodation, constructed or to be constructed, or any agent
2 or employee thereof.

3 2. The provisions of this section shall apply to all residential hous-
4 ing accommodations offered for rent or lease within the state of New
5 York.

6 3. A landlord shall not:

7 (a) require, request, obtain, or consider a consumer credit report or
8 credit history for any prospective tenant who provides documentation
9 indicating that they are a victim of domestic violence; or

10 (b) deny an application for rental housing on the basis of credit
11 history when the applicant is a victim of domestic violence.

12 4. To demonstrate eligibility under this section, an applicant may
13 provide one or more of the following forms of documentation:

14 (a) a temporary or final order of protection issued by a court of
15 competent jurisdiction;

16 (b) a record, complaint, or report from a federal, state, or local law
17 enforcement agency of an act of domestic violence as described in
18 section four hundred fifty-nine-a of the social services law or a family
19 offense as described in section eight hundred twelve of the family court
20 act, or certifying that the applicant or a member of the applicant's
21 family has been subjected to domestic violence;

22 (c) a record from a health care provider for treatment related to
23 domestic violence as described in section four hundred fifty-nine-a of
24 the social services law or a family offense as described in section
25 eight hundred twelve of the family court act; and/or

26 (d) a written verification from any other qualified third party,
27 including but not limited to a licensed medical professional, licensed
28 mental health care provider, domestic violence counselor, victim advo-
29 cate, attorney, or employee of a victim services organization, to whom
30 the applicant or a member of the applicant's household reported the
31 domestic violence.

32 5. Any documentation submitted pursuant to the provisions of this
33 section shall be kept strictly confidential and shall not be disclosed
34 to any third party.

35 6. A person aggrieved by a violation of this section may bring a civil
36 action in a court of competent jurisdiction for:

37 (a) injunctive relief;

38 (b) actual damages; and

39 (c) reasonable attorney's fees and costs.

40 § 3. The real property law is amended by adding a new section 238-c to
41 read as follows:

42 § 238-c. Prohibition on use of credit history for recipients of rental
43 subsidies. 1. For the purposes of this section, the following terms
44 shall have the following meanings:

45 (a) "Rental subsidy" shall mean any housing assistance provided by a
46 federal, state, or local program, including but not limited to the hous-
47 ing choice voucher program under section 8 of the United States housing
48 act of 1937, as amended, the New York city family homelessness and
49 eviction prevention supplement, the New York state family homelessness
50 and eviction prevention supplement program, or any other rent subsidy
51 program designed to assist low-income individuals or families in obtain-
52 ing or maintaining housing.

53 (b) "Landlord" shall have the same meaning as provided in section two
54 hundred thirty-eight-b of this article.

55 2. A landlord shall not:

1 (a) require, request, obtain, or consider a consumer credit report or
2 credit history for any prospective tenant who provides documentation
3 demonstrating that they are the recipient of a rental subsidy; or

4 (b) deny an application for rental housing on the basis of credit
5 history when the applicant receives a rental subsidy.

6 3. An applicant may demonstrate eligibility under this section by
7 providing written documentation issued by the administering agency or
8 entity confirming issuance to such applicant of a rental subsidy.

9 4. Any documentation submitted pursuant to the provisions of this
10 section shall be kept strictly confidential and shall not be disclosed
11 to any third party.

12 5. A person aggrieved by a violation of this section may bring a civil
13 action in a court of competent jurisdiction for:

14 (a) injunctive relief;

15 (b) actual damages; and

16 (c) reasonable attorney's fees and costs.

17 § 4. This act shall take effect on the ninetieth day after it shall
18 have become a law.