

# STATE OF NEW YORK

9112--B

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 -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- 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

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 a victim of domestic  
15 violence as such term is defined by section four hundred fifty-nine-a of  
16 the social services law, or who is a survivor of domestic violence,  
17 dating violence, sexual assault, or stalking as such terms are defined  
18 by 34 U.S.C. § 12291(a).

19 (b) "Landlord" shall mean any owner, lessor, sublessor, assignor, or  
20 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. A landlord shall not require an applicant who is a victim of domes-  
13 tic violence to disclose the nature, details, or circumstances of the  
14 domestic violence, dating violence, sexual assault, stalking, as such  
15 terms are defined by 34 U.S.C § 12291(a), nor require disclosure of any  
16 confidential medical, mental health, or law enforcement information,  
17 except as expressly permitted under this section.

18 5. To demonstrate eligibility under this section, an applicant shall  
19 provide a written self-attestation.

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

22 (a) injunctive relief;

23 (b) actual damages; and

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

25 § 3. This act shall take effect on the ninetieth day after it shall  
26 have become a law.