S T A T E O F N E W Y O R K

4463

2011-2012 Regular Sessions

I N S E N A T E

April 6, 2011

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the executive law, in relation to a tenant blacklist

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 296 of the executive law is amended by adding a new paragraph (a-1) to read as follows:

(A-1) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR THE OWNER, LESSEE, SUBLESSEE, ASSIGNEE, OR MANAGING AGENT OF PUBLICLY-ASSISTED HOUSING ACCOMMODATIONS OR OTHER PERSON HAVING THE RIGHT OF OWNERSHIP OR POSSESSION OF OR THE RIGHT TO RENT OR LEASE SUCH ACCOMMODATIONS TO REFUSE TO SELL, RENT OR LEASE OR OTHERWISE DENY OR TO WITHHOLD FROM ANY PERSON OR GROUP OF PERSONS SUCH A HOUSING ACCOMMODATION ON THE BASIS THAT SUCH PERSON OR GROUP OF PERSONS WERE INVOLVED IN PAST, ONGOING OR CURRENT LANDLORD-TENANT ACTION OR SUMMARY PROCEEDING EMANATING FROM ARTICLE SEVEN OF THE REAL PROPERTY LAW, EXCEPT WHERE THE TENANT OR GROUP OF TENANTS HAVE NOT SATISFIED THE ORDER.

S 2. Subdivision 3-b of section 296 of the executive law, as amended by chapter 106 of the laws of 2003, is amended to read as follows:

3-b. It shall be an unlawful discriminatory practice for any real estate broker, real estate salesperson or employee or agent thereof or any other individual, corporation, partnership or organization for the purpose of inducing a real estate transaction from which any such person or any of its stockholders or members may benefit financially, to represent that a change has occurred or will or may occur in the composition with respect to race, creed, color, national origin, sexual orientation, military status, sex, disability, PAST, ONGOING OR CURRENT LANDLORD-TENANT ACTION OR SUMMARY PROCEEDING EMANATING FROM ARTICLE SEVEN OF THE REAL PROPERTY LAW, marital status, or familial status of the owners or occupants in the block, neighborhood or area in which the real property

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

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is located, and to represent, directly or indirectly, that this change will or may result in undesirable consequences in the block, neighborhood or area in which the real property is located, including but not limited to the lowering of property values, an increase in criminal or anti-social behavior, or a decline in the quality of schools or other facilities.

S 3. Paragraph (a) of subdivision 5 of section 296 of the executive law is amended by adding a new subparagraph 1-a to read as follows:

(1-A) IT SHALL BE AN UNLAWFUL DISCRIMINATORY PRACTICE FOR THE OWNER, LESSEE, SUBLESSEE, ASSIGNEE, OR MANAGING AGENT OF, OR ANY OTHER PERSON HAVING THE RIGHT TO SELL, RENT OR LEASE A HOUSING ACCOMMODATION, CONSTRUCTED OR TO BE CONSTRUCTED, OR ANY AGENT OR EMPLOYEE THEREOF, TO REFUSE TO SELL, RENT OR LEASE OR OTHERWISE DENY OR TO WITHHOLD FROM ANY PERSON OR GROUP OF PERSONS SUCH A HOUSING ACCOMMODATION ON THE BASIS THAT SUCH PERSON OR GROUP OF PERSONS WERE INVOLVED IN PAST, ONGOING OR CURRENT LANDLORD-TENANT ACTION OR SUMMARY PROCEEDING EMANATING FROM ARTICLE SEVEN OF THE REAL PROPERTY LAW, EXCEPT WHERE THE TENANT OR GROUP OF TENANTS HAVE NOT SATISFIED THE ORDER.

S 4. This act shall take effect immediately.