

6411

2013-2014 Regular Sessions

I N   A S S E M B L Y

March 26, 2013

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

AN ACT to amend the real property law, in relation to prohibiting hous-  
ing discrimination against victims of domestic violence

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

1     Section 1. The real property law is amended by adding a new section  
2     237-b to read as follows:  
3     S 237-B. DISCRIMINATION AGAINST VICTIMS OF DOMESTIC VIOLENCE. A. ANY  
4     PERSON, FIRM OR CORPORATION OWNING OR HAVING IN CHARGE ANY APARTMENT  
5     HOUSE, TENEMENT HOUSE OR OTHER BUILDING OR MANUFACTURED HOME PARK USED  
6     FOR DWELLING PURPOSES WHO SHALL REFUSE TO RENT ANY OR PART OF ANY SUCH  
7     BUILDING OR MANUFACTURED HOME PARK TO ANY PERSON OR FAMILY, OR WHO  
8     DISCRIMINATES IN THE TERMS, CONDITIONS, OR PRIVILEGES OF ANY SUCH  
9     RENTAL, SOLELY ON THE GROUND THAT SUCH PERSON OR FAMILY HAS BEEN OR IS  
10    CURRENTLY THE VICTIM OF DOMESTIC VIOLENCE SHALL BE GUILTY OF A MISDEMEA-  
11    NOR AND ON CONVICTION THEREOF SHALL BE PUNISHED BY A FINE OF NOT LESS  
12    THAN FIFTY NOR MORE THAN ONE HUNDRED DOLLARS FOR EACH OFFENSE; PROVIDED,  
13    HOWEVER, THE PROHIBITION AGAINST DISCRIMINATION AGAINST VICTIMS OF  
14    DOMESTIC VIOLENCE IN DWELLING HOUSES AND MANUFACTURED HOME PARKS  
15    CONTAINED IN THIS SECTION SHALL NOT APPLY TO:  
16    (1) HOUSING UNITS FOR SENIOR CITIZENS SUBSIDIZED, INSURED, OR GUARAN-  
17    TEED BY THE FEDERAL GOVERNMENT; OR  
18    (2) ONE OR TWO FAMILY OWNER OCCUPIED DWELLING HOUSES OR MANUFACTURED  
19    HOMES; OR  
20    (3) MANUFACTURED HOME PARKS INTENDED AND OPERATED FOR OCCUPANCY BY  
21    PERSONS FIFTY-FIVE YEARS OF AGE OR OLDER. IN DETERMINING WHETHER HOUSING  
22    IS INTENDED AND OPERATED FOR OCCUPANCY BY PERSONS FIFTY-FIVE YEARS OF  
23    AGE OR OLDER, SEC. 807(B)(2)(C)(42 U.S.C. 3607(B)(2)(C)) OF THE FEDERAL  
24    FAIR HOUSING ACT OF 1988, AS AMENDED, SHALL APPLY.  
25    B. CIVIL LIABILITY:

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

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1 (1) WHERE DISCRIMINATORY CONDUCT PROHIBITED BY THIS SECTION HAS  
2 OCCURRED, AN AGGRIEVED INDIVIDUAL SHALL HAVE A CAUSE OF ACTION IN ANY  
3 COURT OF APPROPRIATE JURISDICTION FOR DAMAGES, DECLARATORY AND INJUNC-  
4 TIVE RELIEF;

5 (2) IN ALL ACTIONS BROUGHT UNDER THIS SECTION, REASONABLE ATTORNEY'S  
6 FEES AS DETERMINED BY THE COURT MAY BE AWARDED TO A PREVAILING PLAIN-  
7 TIFF.

8 S 2. This act shall take effect on the ninetieth day after it shall  
9 have become a law.