STATE OF NEW YORK

11081

IN ASSEMBLY

October 7, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Epstein) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to directing the division of human rights to promulgate a statement regarding housing discrimination that shall be appended to any form of housing assistance

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

Section 1. The executive law is amended by adding a new section 295-a to read as follows:

§ 295-a. Additional powers and duties of the division. 1. In addition to the powers and duties otherwise provided by this article, the division shall create and promulgate a statement that shall be appended to any form of housing assistance administered by any state or municipal agency including, but not limited to, the section eight housing choice voucher program, or any other form of housing assistance, payment, or credit regardless of whether or not such assistance, payment or credit is paid or attributed directly to a landlord. Such statement shall, at a minimum, include:

(a) examples of different forms of lawful source of income;

(b) examples of phrases that may indicate discrimination based on lawful source of income in violation of section two hundred ninety-six of this article;

(c) a statement that it is illegal for the owner or any other person having the right to sell, rent or lease a housing accommodation, other than an accommodation in an owner-occupied building of two units or fewer, constructed or to be constructed, or any agent or employee thereof, or any real estate broker, real estate salesperson, or employee or agent thereof to do the following:

(i) refuse to sell, rent, or lease, or otherwise to deny to or withhold from a person a housing accommodation because of their receipt or use of housing assistance, or represent that such housing accommodation is not available for inspection, sale, rental, or lease when in fact it is so available;

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

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(ii) require different terms or conditions or fail or refuse to provide facilities or services because of a person's receipt or use of housing assistance;

(iii) cause to be made any written or oral inquiry or record concerning the receipt or use of housing assistance of a person seeking to rent or lease any housing accommodation; or

(iv) print or circulate any type of statement, advertisement, or publication, use any application form, or make any record or inquiry relating to the prospective purchase, rental, or lease of a housing accommodation which indirectly or directly expresses any limitation, specification, or discrimination relating to a person's use or receipt of housing assistance;

(d) a statement that it is illegal for landlords to refuse or delay making repairs to an individual's unit because such individual pays rent with housing assistance;

(e) a statement that an individual has the right to be free from discriminatory, harassing or threatening behavior or comments based on such individual's receipt of or application for housing assistance;

(f) contact information, including phone numbers, for the appropriate agencies and departments at which to make a complaint if the voucher recipient feels that he or she is a victim of source of income discrimination;

(g) contact information, including phone numbers, for nonprofit organizations dedicated to eliminating housing discrimination;

(h) a statement that an individual has the right to file a lawsuit in a court of law; and

(i) any other information deemed appropriate by the commissioner.

2. Nothing in this section shall be construed to affect or limit the duties or responsibilities of any party to fully comply with the provisions of section two hundred ninety-six of this article.

§ 2. 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 and completed on or before such effective date.