

STATE OF NEW YORK

8452

2025-2026 Regular Sessions

IN SENATE

July 9, 2025

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, the real property law, the general business law and the civil rights law, in relation to enacting the "regulating equality in neighborhood tenancy" act to prohibit discrimination in housing based on credit scores

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

1 Section 1. This act shall be known and may be cited as the "regulating
2 equality in neighborhood tenancy" act.

3 § 2. Subdivision 2 of section 291 of the executive law, as amended by
4 chapter 8 of the laws of 2019, is amended to read as follows:

5 2. The opportunity to obtain education, the use of places of public
6 accommodation and the ownership, use and occupancy of housing accommo-
7 dations and commercial space without discrimination because of age,
8 race, creed, color, national origin, sexual orientation, gender identity
9 or expression, military status, sex, marital status, [~~or~~] disability, or
10 credit score, as specified in section two hundred ninety-six of this
11 article, is hereby recognized as and declared to be a civil right.

12 § 3. Paragraphs (a), (b), (c), and (c-1) of subdivision 2-a of section
13 296 of the executive law, as separately amended by chapters 202 and 748
14 of the laws of 2022, are amended to read as follows:

15 (a) To refuse to sell, rent or lease or otherwise to deny to or with-
16 hold from any person or group of persons such housing accommodations
17 because of the race, creed, color, disability, national origin, citizen-
18 ship or immigration status, sexual orientation, gender identity or
19 expression, military status, age, sex, marital status, status as a
20 victim of domestic violence, lawful source of income [~~or~~], familial
21 status or credit score of such person or persons, or to represent that
22 any housing accommodation or land is not available for inspection, sale,
23 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.

LBD13439-01-5

(b) To discriminate against any person because of ~~[his or her]~~ their race, creed, color, disability, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, age, sex, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, or credit score familial status or credit score in the terms, conditions or privileges of any publicly-assisted housing accommodations or in the furnishing of facilities or services in connection therewith.

(c) To cause to be made any written or oral inquiry or record concerning the race, creed, color, disability, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, membership in the reserve armed forces of the United States or in the organized militia of the state, age, sex, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, or credit score familial status or credit score of a person seeking to rent or lease any publicly-assisted housing accommodation; provided, however, that nothing in this subdivision shall prohibit a member of the reserve armed forces of the United States or in the organized militia of the state from voluntarily disclosing such membership.

(c-1) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such housing accommodation or to make any record or inquiry in connection with the prospective purchase, rental or lease of such a housing accommodation which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, or credit score familial status or credit score, or any intent to make any such limitation, specification or discrimination.

§ 4. Subdivision 3-b of section 296 of the executive law, as separately amended by chapters 202 and 748 of the laws of 2022, 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, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, marital status, status as a victim of domestic violence, ~~[or]~~ familial status or credit score, of the owners or occupants in the block, neighborhood or area in which the real property 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.

§ 5. Subdivision 5 of section 296 of the executive law, as separately amended by chapters 202 and 748 of the laws of 2022, is amended to read as follows:

5. (a) It shall be an unlawful discriminatory practice for the owner, lessee, sub-lessee, assignee, or managing agent of, or other person

1 having the right to sell, rent or lease a housing accommodation,
2 constructed or to be constructed, or any agent or employee thereof:

3 (1) To refuse to sell, rent, lease or otherwise to deny to or withhold
4 from any person or group of persons such a housing accommodation because
5 of the race, creed, color, national origin, citizenship or immigration
6 status, sexual orientation, gender identity or expression, military
7 status, sex, age, disability, marital status, status as a victim of
8 domestic violence, lawful source of income ~~[or]~~, familial status or
9 credit score, of such person or persons, or to represent that any hous-
10 ing accommodation or land is not available for inspection, sale, rental
11 or lease when in fact it is so available.

12 (2) To discriminate against any person because of race, creed, color,
13 national origin, citizenship or immigration status, sexual orientation,
14 gender identity or expression, military status, sex, age, disability,
15 marital status, status as a victim of domestic violence, lawful source
16 of income ~~[or]~~, familial status or credit score, in the terms, condi-
17 tions or privileges of the sale, rental or lease of any such housing
18 accommodation or in the furnishing of facilities or services in
19 connection therewith.

20 (3) To print or circulate or cause to be printed or circulated any
21 statement, advertisement or publication, or to use any form of applica-
22 tion for the purchase, rental or lease of such housing accommodation or
23 to make any record or inquiry in connection with the prospective
24 purchase, rental or lease of such a housing accommodation which
25 expresses, directly or indirectly, any limitation, specification or
26 discrimination as to race, creed, color, national origin, citizenship or
27 immigration status, sexual orientation, gender identity or expression,
28 military status, sex, age, disability, marital status, status as a
29 victim of domestic violence, lawful source of income ~~[or]~~, familial
30 status or credit score, or any intent to make any such limitation, spec-
31 ification or discrimination.

32 (4) (i) The provisions of subparagraphs one and two of this paragraph
33 shall not apply (1) to the rental of a housing accommodation in a build-
34 ing which contains housing accommodations for not more than two families
35 living independently of each other, if the owner resides in one of such
36 housing accommodations, (2) to the restriction of the rental of all
37 rooms in a housing accommodation to individuals of the same sex or (3)
38 to the rental of a room or rooms in a housing accommodation, if such
39 rental is by the occupant of the housing accommodation or by the owner
40 of the housing accommodation and the owner resides in such housing
41 accommodation or (4) solely with respect to age and familial status to
42 the restriction of the sale, rental or lease of housing accommodations
43 exclusively to persons sixty-two years of age or older and the spouse of
44 any such person, or for housing intended and operated for occupancy by
45 at least one person fifty-five years of age or older per unit. In deter-
46 mining whether housing is intended and operated for occupancy by persons
47 fifty-five years of age or older, Sec. 807(b) (2) (c) (42 U.S.C. 3607
48 (b) (2) (c)) of the federal Fair Housing Act of 1988, as amended, shall
49 apply. However, such rental property shall no longer be exempt from the
50 provisions of subparagraphs one and two of this paragraph if there is
51 unlawful discriminatory conduct pursuant to subparagraph three of this
52 paragraph.

53 (ii) The provisions of subparagraphs one, two, and three of this para-
54 graph shall not apply (1) to the restriction of the rental of all rooms
55 in a housing accommodation to individuals of the same sex, (2) to the
56 rental of a room or rooms in a housing accommodation, if such rental is

1 by the occupant of the housing accommodation or by the owner of the
2 housing accommodation and the owner resides in such housing accommo-
3 dation, or (3) solely with respect to age and familial status to the
4 restriction of the sale, rental or lease of housing accommodations
5 exclusively to persons sixty-two years of age or older and the spouse of
6 any such person, or for housing intended and operated for occupancy by
7 at least one person fifty-five years of age or older per unit. In deter-
8 mining whether housing is intended and operated for occupancy by persons
9 fifty-five years of age or older, Sec. 807(b) (2) (c) (42 U.S.C. 3607
10 (b) (2) (c)) of the federal Fair Housing Act of 1988, as amended, shall
11 apply.

12 (b) It shall be an unlawful discriminatory practice for the owner,
13 lessee, sub-lessee, or managing agent of, or other person having the
14 right of ownership or possession of or the right to sell, rent or lease,
15 land or commercial space:

16 (1) To refuse to sell, rent, lease or otherwise deny to or withhold
17 from any person or group of persons land or commercial space because of
18 the race, creed, color, national origin, citizenship or immigration
19 status, sexual orientation, gender identity or expression, military
20 status, sex, age, disability, marital status, status as a victim of
21 domestic violence, [✗] familial status or credit score, of such person
22 or persons, or to represent that any housing accommodation or land is
23 not available for inspection, sale, rental or lease when in fact it is
24 so available;

25 (2) To discriminate against any person because of race, creed, color,
26 national origin, citizenship or immigration status, sexual orientation,
27 gender identity or expression, military status, sex, age, disability,
28 marital status, status as a victim of domestic violence, [✗] familial
29 status or credit score, in the terms, conditions or privileges of the
30 sale, rental or lease of any such land or commercial space; or in the
31 furnishing of facilities or services in connection therewith;

32 (3) To print or circulate or cause to be printed or circulated any
33 statement, advertisement or publication, or to use any form of applica-
34 tion for the purchase, rental or lease of such land or commercial space
35 or to make any record or inquiry in connection with the prospective
36 purchase, rental or lease of such land or commercial space which
37 expresses, directly or indirectly, any limitation, specification or
38 discrimination as to race, creed, color, national origin, citizenship or
39 immigration status, sexual orientation, gender identity or expression,
40 military status, sex, age, disability, marital status, status as a
41 victim of domestic violence, [✗] familial status or credit score; or
42 any intent to make any such limitation, specification or discrimination.

43 (4) With respect to age and familial status, the provisions of this
44 paragraph shall not apply to the restriction of the sale, rental or
45 lease of land or commercial space exclusively to persons fifty-five
46 years of age or older and the spouse of any such person, or to the
47 restriction of the sale, rental or lease of land to be used for the
48 construction, or location of housing accommodations exclusively for
49 persons sixty-two years of age or older, or intended and operated for
50 occupancy by at least one person fifty-five years of age or older per
51 unit. In determining whether housing is intended and operated for occu-
52 pancy by persons fifty-five years of age or older, Sec. 807(b) (2) (c)
53 (42 U.S.C. 3607(b) (2) (c)) of the federal Fair Housing Act of 1988, as
54 amended, shall apply.

55 (c) It shall be an unlawful discriminatory practice for any real
56 estate broker, real estate salesperson or employee or agent thereof:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space to any person or group of persons because of the race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, familial status or credit score, of such person or persons, or to represent that any housing accommodation, land or commercial space is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or any facilities of any housing accommodation, land or commercial space from any person or group of persons because of the race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income ~~[or]~~, familial status or credit score, of such person or persons.

(2) To print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space which expresses, directly or indirectly, any limitation, specification, or discrimination as to race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, familial status or credit score; or any intent to make any such limitation, specification or discrimination.

(3) With respect to age and familial status, the provisions of this paragraph shall not apply to the restriction of the sale, rental or lease of any housing accommodation, land or commercial space exclusively to persons fifty-five years of age or older and the spouse of any such person, or to the restriction of the sale, rental or lease of any housing accommodation or land to be used for the construction or location of housing accommodations for persons sixty-two years of age or older, or intended and operated for occupancy by at least one person fifty-five years of age or older per unit. In determining whether housing is intended and operated for occupancy by persons fifty-five years of age or older, Sec. 807 (b) (2) (c) (42 U.S.C. 3607 (b) (2) (c)) of the federal Fair Housing Act of 1988, as amended, shall apply.

(d) It shall be an unlawful discriminatory practice for any real estate board, because of the race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, age, sex, disability, marital status, status as a victim of domestic violence, lawful source of income ~~[or]~~, familial status or credit score, of any individual who is otherwise qualified for membership, to exclude or expel such individual from membership, or to discriminate against such individual in the terms, conditions and privileges of membership in such board.

(e) It shall be an unlawful discriminatory practice for the owner, proprietor or managing agent of, or other person having the right to provide care and services in, a private proprietary nursing home, convalescent home, or home for adults, or an intermediate care facility, as defined in section two of the social services law, heretofore

constructed, or to be constructed, or any agent or employee thereof, to refuse to provide services and care in such home or facility to any individual or to discriminate against any individual in the terms, conditions, and privileges of such services and care solely because such individual is a blind person. For purposes of this paragraph, a "blind person" shall mean a person who is registered as a blind person with the commission for the visually handicapped and who meets the definition of a "blind person" pursuant to section three of chapter four hundred fifteen of the laws of nineteen hundred thirteen entitled "An act to establish a state commission for improving the condition of the blind of the state of New York, and making an appropriation therefor".

(f) The provisions of this subdivision, as they relate to age, shall not apply to persons under the age of eighteen years.

(g) It shall be an unlawful discriminatory practice for any person offering or providing housing accommodations, land or commercial space as described in paragraphs (a), (b), and (c) of this subdivision to make or cause to be made any written or oral inquiry or record concerning membership of any person in the state organized militia in relation to the purchase, rental or lease of such housing accommodation, land, or commercial space, provided, however, that nothing in this subdivision shall prohibit a member of the state organized militia from voluntarily disclosing such membership.

§ 6. The real property law is amended by adding a new section 227-g to read as follows:

§ 227-g. Denial on the basis of credit score prohibited. 1. No person, firm or corporation owning or managing any building used for dwelling purposes, or the agent of such person, firm or corporation, shall refuse to rent or offer a lease to a potential tenant solely on the basis of the potential tenant's credit score. An applicant for a residential lease shall be evaluated on multiple qualifying factors including, but not limited to:

a. income level and stability;

b. employment history;

c. prior rental history;

d. references from previous landlords; and

e. other relevant criteria that support the tenant's ability to fulfill rental obligations.

2. There shall be a rebuttable presumption of a violation of this section if it is established that the person, firm or corporation requested the credit score of a potential tenant and subsequently refuses to rent or offer a lease to the potential tenant.

3. Whenever the attorney general shall believe from satisfactory evidence that any person, firm, corporation or agent or employee thereof has violated subdivision one of this section, they may bring an action or special proceeding in the supreme court for a judgment enjoining the continuance of such violation and for a civil penalty of not less than one thousand dollars, but not more than five thousand dollars for each violation.

§ 7. Section 233 of the real property law is amended by adding a new subdivision z to read as follows:

z. A manufactured home park owner may only use credit scores in conjunction with other qualifying factors such as employment history and monthly wages in making determinations of tenancy or rental agreements under this section.

§ 8. The general business law is amended by adding a new section 397-c to read as follows:

1 § 397-c. Prohibition on exclusive use of credit score in rental agree-
2 ments. 1. No landlord or property owner shall refuse to rent, lease or
3 otherwise provide housing to any person based solely on the credit
4 score of such person.

5 2. A landlord shall evaluate rental applications based on a combina-
6 tion of factors, including but not limited to income level and verifica-
7 tion, prior rental history, and personal references, in addition to
8 credit scores.

9 3. Landlords shall disclose to applicants the criteria used for eval-
10 uating rental applications, ensuring that credit scores are not the only
11 measure of eligibility.

12 4. A violation of this section shall result in penalties, including
13 finest and a civil action for damages incurred by the affected applicant.

14 § 9. Section 18-c of the civil rights law, as added by chapter 287 of
15 the laws of 1950, is amended to read as follows:

16 § 18-c. Discrimination prohibited. It shall be unlawful:

17 1. For the owner of any publicly assisted housing accommodation to
18 refuse to rent or lease or otherwise to deny to or withhold from any
19 person or group of persons such housing accommodation because of the
20 race, color, religion, national origin or ancestry, or credit score of
21 such person or persons.

22 2. For the owner of any publicly assisted housing accommodation to
23 discriminate against any person because of the race, color, religion,
24 national origin or ancestry, or credit score of such person in the
25 terms, conditions or privileges of any publicly assisted housing accom-
26 modations or in the furnishing of facilities or services in connection
27 therewith.

28 3. For any person to cause to be made any written or oral inquiry
29 concerning the race, color, religion, national origin or ancestry of a
30 person seeking to rent or lease any [~~publicly assisted~~] housing accommo-
31 dation.

32 § 10. Subdivision 17 of section 295 of the executive law, as added by
33 chapter 701 of the laws of 2021, is amended to read as follows:

34 17. To establish a dedicated telephone line to provide assistance to
35 individuals with complaints of housing discrimination, including claims
36 of discrimination based on the unlawful use of credit scores in denying
37 applications for rental or lease of residential property. Such assist-
38 ance shall include, but not be limited to, directing individuals to
39 resources available to the public regarding housing discrimination. The
40 division shall operate such dedicated telephone line during regular
41 business hours and shall post the telephone number for such dedicated
42 phone line on the website of the division. The commissioner is hereby
43 authorized and directed to promulgate rules and regulations to effectu-
44 ate the purposes of this subdivision.

45 § 11. This act shall take effect immediately; provided that section
46 ten of this act shall take effect on the ninetieth day after it shall
47 have become a law.