

STATE OF NEW YORK

4432

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. CUNNINGHAM, REYES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to rental discrimination based upon consumer credit history

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

1 Section 1. Section 292 of the executive law is amended by adding a new
2 subdivision 42 to read as follows:

3 42. The term "consumer credit history" means an individual's credit
4 worthiness, credit standing, credit capacity or payment history, as
5 indicated by:

6 (a) a consumer credit report; or

7 (b) credit score.

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

11 (a) (i) To refuse to sell, rent or lease or otherwise to deny to or
12 withhold from any person or group of persons such housing accommodations
13 because of the race, creed, color, disability, national origin, citizen-
14 ship or immigration status, sexual orientation, gender identity or
15 expression, military status, age, sex, marital status, status as a
16 victim of domestic violence, lawful source of income or familial status
17 of such person or persons, or to represent that any housing accommo-
18 dation or land is not available for inspection, sale, rental or lease
19 when in fact it is so available.

20 (ii) To refuse to rent or lease or otherwise to deny to or withhold
21 from any person or group of persons such housing accommodations because
22 of the consumer credit history of such person or persons, or to repre-
23 sent that any housing accommodation is not available for rental or lease
24 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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1 (b) To discriminate against any person because of [~~his or her~~] race,
2 creed, color, disability, national origin, citizenship or immigration
3 status, sexual orientation, gender identity or expression, military
4 status, age, sex, marital status, status as a victim of domestic
5 violence, lawful source of income [~~ex~~], familial status or consumer
6 credit history in the terms, conditions or privileges of any publicly-
7 assisted housing accommodations or in the furnishing of facilities or
8 services in connection therewith.

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

20 § 3. Subdivision 5 of section 296 of the executive law is amended by
21 adding a new paragraph (h) to read as follows:

22 (h) It shall be an unlawful discriminatory practice for any person
23 offering housing accommodations for rent or lease as described in para-
24 graphs (a), (b) and (c) of this subdivision to refuse to rent or lease
25 or otherwise deny to or withhold from any person or group of persons
26 such housing accommodations because of the consumer credit history of
27 such person or persons, or to represent that any housing accommodation
28 is not available for rental or lease when in fact it is so available.

29 § 4. This act shall take effect immediately.