STATE OF NEW YORK

5245

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

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

AN ACT to amend the real property law, in relation to prohibiting the use of credit checks for prospective tenants

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

Section 1. This act shall be known and may be cited as the "Fair Chance: Reforming the Use of Credit Checks in Tenant Screening Act".

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

§ 227-g. Credit checks in tenant screening. 1. No landlord, lessor, sub-lessor, rental broker, real estate agent, or apartment rental clearinghouse shall request from a potential lessee or a consumer reporting agency a consumer report for the purposes of evaluating a rental application.

2. As used in this section:

(a) "consumer report" means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or part for the purpose of serving as a factor in establishing the consumer's eligibility for (i) credit or insurance to be used primarily for personal, family, or household purposes, (ii) employment purposes, or (iii) other purposes authorized under section three hundred eighty-b of the general business law; and

(b) "consumer reporting agency" means any person who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of

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

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furnishing consumer reports or investigative consumer reports to third parties.

3. Any individual, firm, or organization that believes from evidence satisfactory to them that any person, firm, corporation or association or agent or employee thereof has violated 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 against the respondent in an amount that does not exceed the following:

(a) If the defendant is a natural person, (i) five thousand dollars for a first violation, and (ii) twenty-five thousand dollars for a second or subsequent violation.

(b) If the defendant is a corporate entity, (i) fifty thousand dollars for a first violation and (ii) one hundred fifty thousand dollars for a second or subsequent violation.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.