

# STATE OF NEW YORK

9294

2025-2026 Regular Sessions

## IN ASSEMBLY

December 10, 2025

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

AN ACT to amend the real property law, in relation to the disclosure of tenant screening criteria and grounds for denial of rental applications

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

1 Section 1. The real property law is amended by adding a new section  
2 238-b to read as follows:

3 § 238-b. Disclosure of tenant screening criteria and grounds for  
4 denial of rental applications. 1. For the purposes of this section:

5 (a) "Tenant screening criteria" means the complete list of objective  
6 and subjective factors a landlord uses to evaluate rental applications.  
7 This includes, but is not limited to, financial history, credit score  
8 thresholds, income requirements, prior evictions, criminal background,  
9 references, and completeness or accuracy of the application.

10 (b) "Landlord" means any owner, lessor, sublessor, assignor, or manag-  
11 ing agent of, or any other person having the right to rent or lease a  
12 housing accommodation, or any agent or employee thereof.

13 2. (a) Prior to accepting any application fee, deposit, or screening  
14 information from a prospective tenant, a landlord shall provide to the  
15 applicant a clear and conspicuous written disclosure of the tenant  
16 screening criteria used to evaluate rental applications. Such disclosure  
17 shall include:

18 (i) a detailed list of the screening criteria, which may include but  
19 is not limited to:

20 (A) credit history and minimum credit score thresholds, if any;

21 (B) criminal history policies;

22 (C) prior rental history, including past evictions;

23 (D) minimum income requirements;

24 (E) reference requirements; and/or

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

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1 (F) any policy regarding incomplete or inaccurate application  
2 submissions;

3 (ii) whether the landlord will obtain a tenant screening report from a  
4 consumer reporting agency, and if so, the name and contact information  
5 of such agency; and

6 (iii) a written summary of the applicant's rights under federal and  
7 New York state law with respect to consumer reports, including the right  
8 to access and dispute the contents of such reports.

9 (b) A landlord shall not accept any application fee, deposit, or  
10 commence any evaluation of an application until the disclosure required  
11 by this subdivision has been provided.

12 3. (a) The tenant screening disclosure may be included in or adjacent  
13 to the rental application form, provided it is clearly labeled and  
14 presented in bold, underlined, or otherwise conspicuous print.

15 (b) The applicant shall sign an acknowledgment indicating that the  
16 disclosure was made available to them prior to submitting any applica-  
17 tion materials or fees. Such acknowledgment shall include the following  
18 or a substantively equivalent statement:

19 "By signing below, you acknowledge that you have been provided with,  
20 and had the opportunity to review, the landlord's tenant screening  
21 criteria. The tenant screening criteria may include factors such as  
22 credit history, criminal background, rental history, income verifica-  
23 tion, and the completeness or accuracy of information provided. If you  
24 do not meet these criteria, your application may be denied and your  
25 application fee will not be refunded."

26 (c) If the acknowledgment is not signed, there shall be a rebuttable  
27 presumption that the required disclosure was not provided.

28 4. (a) If a landlord rejects an applicant without having provided the  
29 disclosure required under subdivision two of this section, such landlord  
30 shall refund the full amount of any application fee and application  
31 deposit paid.

32 (b) Upon written request by an applicant, the landlord shall mail or  
33 otherwise deliver the refund to the address provided by the applicant  
34 within fourteen days of such request.

35 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-  
36 sion, section or part of this act shall be adjudged by any court of  
37 competent jurisdiction to be invalid, such judgment shall not affect,  
38 impair, or invalidate the remainder thereof, but shall be confined in  
39 its operation to the clause, sentence, paragraph, subdivision, section  
40 or part thereof directly involved in the controversy in which such judg-  
41 ment shall have been rendered. It is hereby declared to be the intent of  
42 the legislature that this act would have been enacted even if such  
43 invalid provisions had not been included herein.

44 § 3. This act shall take effect on the one hundred twentieth day after  
45 it shall have become a law.