

STATE OF NEW YORK

5999

2025-2026 Regular Sessions

IN SENATE

March 4, 2025

Introduced by Sen. JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the real property law, in relation to enacting the New York state fair tenant credit reporting act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "New York state fair tenant credit reporting act".

3 § 2. Legislative intent. The Legislature finds that tenants are often
4 subject to negative credit reporting by landlords in ways that may be
5 unfair or misleading. This act seeks to ensure that negative credit
6 reporting by landlords can only occur under fair and transparent circum-
7 stances by prohibiting such reporting until a court has ruled in the
8 landlord's favor regarding any outstanding rental obligations. Addi-
9 tionally, this act seeks to prevent unauthorized credit reporting activ-
10 ities by landlords if they were not properly disclosed at the time of
11 application.

12 § 3. The real property law is amended by adding a new article 6-B to
13 read as follows:

ARTICLE 6-B

NEW YORK STATE FAIR TENANT CREDIT REPORTING ACT

Section 219. Fair tenant credit reporting.

219-a. Enforcement and penalties.

18 § 219. Fair tenant credit reporting. 1. As used in this section, the
19 term "consumer reporting agency" shall have the same meaning as such
20 term is defined in section three hundred eighty-a of the general busi-
21 ness law, and shall additionally include tenant screening companies that
22 are affiliated with or subsidiaries of a consumer reporting agency.

23 2. A landlord, property manager or agent thereof shall not report any
24 unpaid rent, fees, or other charges owed by a tenant to a consumer

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

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1 reporting agency or a tenant screening bureau after such tenant has
2 vacated the premises unless a final judgment regarding such unpaid rent,
3 fees, or other charges has been entered in the landlord's favor in a
4 court of competent jurisdiction. Reporting services explicitly requested
5 by the tenant are exempt from the provisions of this subdivision and may
6 be reported until the tenant leaves the premises.

7 3. A landlord, property manager or agent thereof shall not report any
8 information to a consumer reporting agency or tenant screening bureau
9 regarding tenant after move-in unless such reporting was explicitly
10 disclosed in writing during the application process and acknowledged by
11 the tenant. Reporting to a consumer reporting agency by a landlord,
12 property manager or agent thereof shall not use "voluntary surrender" as
13 a status to report early lease terminations.

14 4. An authorization for tenant screening made by a prospective tenant
15 shall not be deemed to authorize credit or other specialty reporting to
16 a consumer reporting agency or tenant screening bureau.

17 § 219-a. Enforcement and penalties. 1. Any landlord, property manager
18 or agent thereof who violates a provision of this article shall be
19 subject to a civil penalty of one thousand five hundred dollars per
20 violation, and shall be liable for damages sustained by the tenant who
21 was the subject of the violation.

22 2. A tenant who is the subject of a violation of the provisions of
23 this article may bring an action to enjoin reporting of information in
24 violation of the provisions of this section, an action to recover
25 damages suffered by reason of such violation, or both. In any action
26 brought under this subdivision, the court may award reasonable attor-
27 neys' fees to a prevailing plaintiff.

28 3. A consumer reporting agency or tenant screening bureau shall remove
29 any negative reporting made in violation of the provisions of this arti-
30 cle within thirty days notice of the finding of a violation by a court
31 in an action commenced pursuant to subdivision two of this section.

32 § 4. This act shall take effect immediately.