

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS

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February 11, 2010

Start: 10:53 am

Recess: 10:56 am

HELD AT: Council Chambers
City Hall

B E F O R E:
KAREN KOSLOWITZ
Chairperson

COUNCIL MEMBERS:
Charles Barron
Leroy G. Comrie, Jr.
Julissa Ferreras
James F. Gennaro
G. Oliver Koppell
Michael C. Nelson

CHAIRPERSON KOSLOWITZ: Good

morning, my name is Karen Koslowitz and I am the new Chair of the Committee on Consumer Affairs.

Today the committee will be voting on Proposed Introductory bill number 5-A, a Local Law to amend the Administrative Code of the City of New York in relation to disclosure of the use of tenant screening reports.

As you may know, a tenant screening report is a consumer report used by landlords that lists Housing Court cases filed against a particular individual. Many landlords use these reports to evaluate the fitness of a prospective tenant. Unfortunately, information in the report may be incomplete, inaccurate, or wholly erroneous, and can be used to deny people housing. Intro 5-A would ensure that consumers are aware of the existence of tenant screening reports and would assist them in obtaining copies of their reports. It would also require all landlords and management companies to disclose in writing, A, whether or not they use tenant screening reports, and, B, the name and address of the screening agency used if they do not use tenant screening

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2 reports. [Pause] And, C, the fact that consumers
3 are entitled to one free copy of their tenant
4 screening report per year.

5 I would like to call on Council
6 Member Garodnick, who sponsored this bill, to say
7 a few words.

8 COUNCIL MEMBER GARODNICK: Thank
9 you very much, Madam Chair, and thanks to the
10 entire Consumer Affairs Committee for taking up
11 the Tenant Fair Chance Act. We have now of course
12 had testimony over two hearings which has further
13 demonstrated the need for clarity and a proper
14 notification to tenants of the laws. While there
15 exist federal and state laws that require a
16 disclosure of tenant screening reports,
17 prospective tenants are usually not aware that
18 these reports exist or that they're used at all
19 and, therefore, don't ask to see them. This law
20 will alert tenants to the existence of these
21 reports and will enable them to take back control
22 of their own rental histories.

23 This legislation, I believe, will
24 add a measure of clarity to the reports and will
25 give prospective renters a chance to correct and

1
2 amend information about their tenancy and their
3 background.

4 This bill, as you noted, Madam
5 Chair, will require any landlord, management
6 company, or broker who uses a tenant screening
7 report to disclose the name of the agency that's
8 providing a copy of the report that enables a
9 tenant to dispute inaccuracies directly with the
10 agency. All users of the reports will also be
11 required to post a sign telling tenants that under
12 federal law they're entitled to copies of these
13 reports from each tenant screening agency.

14 As a result, I believe the tenants
15 are not going to be held hostage by their past,
16 they're not going to suffer because they asserted
17 rights in Housing Court or because they share a
18 popular name. It is time for tenants to be fully
19 aware of these reports and have the opportunity
20 and the power to change them. So, with that,
21 Madam Chair, I thank you again and I encourage my
22 colleagues who serve on this committee to vote yes
23 in favor of this legislation, Proposed Intro 5-A
24 today.

25 CHAIRPERSON KOSLOWITZ: And I would

1
2 like to add, I am happy this is the first bill
3 coming before this committee to help the consumer.
4 Thank you very much.

5 With that, we'll have the roll
6 call.

7 WILLIAM MARTIN: William Martin,
8 Committee Clerk, roll call on the Committee on
9 Consumer Affairs, Introduction 5. Council Member
10 Koslowitz.

11 CHAIRPERSON KOSLOWITZ: Aye.

12 WILLIAM MARTIN: Barron.

13 COUNCIL MEMBER BARRON: Aye.

14 WILLIAM MARTIN: Comrie.

15 COUNCIL MEMBER COMRIE: Aye.

16 WILLIAM MARTIN: Ferreras.

17 COUNCIL MEMBER FERRERAS: Aye.

18 WILLIAM MARTIN: By a vote of four
19 in the affirmative, zero in the negative, no
20 abstentions, item is adopted. Council Members,
21 please sign the committee report. Thank you.

22 CHAIRPERSON KOSLOWITZ: We are
23 going to hold the record open for the vote because
24 we have Council Members that are coming across
25 bridges and traffic, so the vote will be held

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2 open. Thank you.

3 [Long Pause]

4 WILLIAM MARTIN: Council Member
5 Gennaro.

6 COUNCIL MEMBER GENNARO: Yes.

7 WILLIAM MARTIN: Vote on Consumer
8 Affairs is now five in the affirmative, zero in
9 the negative, and no abstentions. [Pause]
10 Council Member Koppell.

11 COUNCIL MEMBER KOPPELL: Yes. Yes.

12 WILLIAM MARTIN: Updated vote on
13 Consumer Affairs is now six in the affirmative,
14 zero in the negative, no abstentions. [Pause]
15 Council Member Nelson.

16 COUNCIL MEMBER NELSON: Aye.

17 WILLIAM MARTIN: Final vote on the
18 Committee on Consumer Affairs now stands at seven
19 in the affirmative, zero in the negative, and no
20 abstentions. Thank you.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Tammy Wittman

Date February 24, 2010