Legislation Details (With Text)

File #:	Int 0625-2015 **Version:** *	**Name:**	Housing accommodations and tenant black lists.
Type:	Introduction	**Status:**	Filed (End of Session)
		In control:	Committee on Civil Rights
On agenda:	1/22/2015		
Enactment date:		**Enactment #:**	
Title:	A Local Law to amend the administrative code of the city of New York, in relation to housing accommodations and tenant black lists.		
Sponsors:			
Indexes:			
Attachments:	1. Summary of Int. No. 625		

Date	Ver.	Action By	Action	Result
1/22/2015	*	City Council	Introduced by Council	
1/22/2015	*	City Council	Referred to Comm by Council	
12/31/2017	*	City Council	Filed (End of Session)	

Int. No. 625

By Council Members Kallos, Levine, Lancman, Maisel, Chin, Rosenthal, Lander, King, Cornegy, Dromm, Miller, Reynoso, Richards, Williams, Torres, Rodriguez, Van Bramer, Menchaca, Johnson, Perkins, Ferreras-Copeland, Levin and Salamanca

A Local Law to amend the administrative code of the city of New York, in relation to housing accommodations and tenant black lists.

Be it enacted by the Council as follows:

Section 1. Subparagraphs 1, 2 and 3 of paragraph a of subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York are amended to read as follows:

(1) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any person or group of persons such a housing accommodation or an interest therein because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons[.], or because such person or persons were a party in a past or current landlord-tenant action or

powered by Legistar™

housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding.

(2) To discriminate against any person because of such person's actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or because of any lawful source of income of such person, [or] because children are, may be or would be residing with such person, or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding, in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith.

(3) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or any lawful source income, [or] whether children are, may be, or would be residing with a person, or whether such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding, or any intent to make such limitation, specification or discrimination.

§ 2. Paragraph c of subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York is amended to read as follows:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing

accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons, or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding, or to represent that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons[.]or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or to any lawful source of income, [or to] whether children are, may be or would be residing with a person, or to whether such person or persons were a party in a past or current landlord-tenant

action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding, or any intent to make such limitation, specification or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, marital status, partnership status, national origin, alienage or citizenship status, or a person or persons with any lawful source of income, [or] a person or persons with whom children are, may be or would be residing[.]or a person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding.

§ 3. Subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York is amended by adding a new paragraph p to read as follows:

(p) Applicability; Landlord-tenant actions or housing court proceedings. Where the commission finds that a person has engaged in an unlawful discriminatory practice relating to a past or current landlord-tenant action or housing court proceeding, the commission may impose a civil penalty according to the following structure: (i) $100 per unit per month for the first five instances; (ii) $250 per unit per month for instances five through 10; (iii) $500 per unit per month for instances 10 through 15; (iv) $1,000 per unit per month for instances 15 through 20; (v) $2,000 per unit per month for instances 21 and beyond. Owners may voluntarily report violations for a reduction of 50 percent of overall fines, which may be waived at the commission's discretion.

§ 4. Subdivision a of section 8-126 of chapter one of title eight of the administrative code of the city of New York is amended to read as follows:

a. Except as otherwise provided in subdivisions five and thirteen of section 8-107 of this chapter, in addition to any of the remedies and penalties set forth in subdivision a of section 8-120 of this chapter, where

powered by Legistar™

the commission finds that a person has engaged in unlawful discriminatory practice, the commission may, to vindicate the public interest, impose a civil penalty of not more than one hundred and twenty-five thousand dollars. Where the commission finds that an unlawful discriminatory practice was the result of the respondent's willful, wanton or malicious act or where the commission finds that an act of discriminatory harassment or violence as set forth in chapter six of this title has occurred, the commission may, to vindicate the public interest, impose a civil penalty of not more than two hundred and fifty thousand dollars.

§ 5. This local law shall take effect immediately upon its enactment into law.

BG/RC
LS 734/2014
1/14/14, 2:00P