The New York City Council

City Hall
New York, NY 10007

Legislation Details (With Text)

File #:	Int 0061-2006	**Version:**	A	**Name:**	Prohibiting landlords to discriminate against tenants based on lawful source of income.
Type:	Introduction			**Status:**	Enacted
				In control:	Committee on General Welfare
On agenda:	2/15/2006				
Enactment date:	3/26/2008			**Enactment #:**	2008/010

Title: A Local Law to amend the administrative code of the city of New York, in relation to prohibiting landlords from discriminating against tenants based on lawful source of income.

Sponsors: Bill De Blasio, Helen D. Foster, Letitia James, G. Oliver Koppell, Miguel Martinez, Rosie Mendez, Annabel Palma, James Sanders, Jr., Kendall Stewart, David Yassky, John C. Liu, Diana Reyna, Tony Avella, Vincent J. Gentile, Hiram Monserrate, Gale A. Brewer, Daniel R. Garodnick, Alan J. Gerson, Robert Jackson, Darlene Mealy, Maria Del Carmen Arroyo, David I. Weprin, Melissa Mark-Viverito, Eric N. Gioia, Sara M. Gonzalez, Albert Vann, Charles Barron, Mathieu Eugene, Joseph P. Addabbo, Jr., Lewis A. Fidler, Domenic M. Recchia, Jr., Maria Baez, Joel Rivera, Michael C. Nelson, Thomas White, Jr., Inez E. Dickens, Helen Sears, Betsy Gotbaum

Indexes:

Attachments: 1. Int. No. 61 - 2/15/06, 2. Proposed Int. No. 61-A - 12/12/07, 3. Committee Report 4/11/07, 4. Hearing Transcript 4/11/07, 5. Committee Report 12/12/07, 6. Hearing Transcript 12/12/07, 7. Hearing Testimony 12/12/07, 8. Committee Report 1/30/08, 9. Hearing Transcript 1/30/08, 10. Press Release, 11. Fiscal Impact Statement, 12. Mayor's Veto Message, 13. Hearing Transcript - Stated Meeting 1/30/08, 14. Committee Report 3/26/08, 15. Hearing Transcript 3/26/08, 16. Press Release, 17. Hearing Transcript - Stated Meeting 3/26/08, 18. Local Law

Date	Ver.	Action By	Action	Result
2/15/2006	*	City Council	Introduced by Council	
2/15/2006	*	City Council	Referred to Comm by Council	
4/11/2007	*	Committee on General Welfare	Hearing Held by Committee	
4/11/2007	*	Committee on General Welfare	Laid Over by Committee	
12/12/2007	*	Committee on General Welfare	Hearing Held by Committee	
12/12/2007	*	Committee on General Welfare	Amendment Proposed by Comm	
12/12/2007	*	Committee on General Welfare	Laid Over by Committee	
1/30/2008	*	Committee on General Welfare	Hearing Held by Committee	
1/30/2008	*	Committee on General Welfare	Amendment Proposed by Comm	
1/30/2008	*	Committee on General Welfare	Amended by Committee	
1/30/2008	A	Committee on General Welfare	Approved by Committee	Pass
1/30/2008	A	City Council	Approved by Council	Pass
1/30/2008	A	City Council		
1/30/2008	A	City Council	Sent to Mayor by Council	
2/29/2008	A	Mayor	Vetoed by Mayor	
3/26/2008	A	Committee on General Welfare	Hearing Held by Committee	

powered by Legistar™

3/26/2008	A	Committee on General Welfare	Approved by Committee	Pass
3/26/2008	A	City Council	Overridden by Council	Pass

Int. No. 61-A

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting landlords from discriminating against tenants based on lawful source of income.

By Council Members de Blasio, Foster, James, Koppell, Martinez, Mendez, Palma, Sanders Jr., Stewart, Yassky, Liu, Reyna, Avella, Gentile, Monserrate, Brewer, Garodnick, Gerson, Jackson, Mealy, Arroyo, Weprin, Mark-Viverito, Gioia, Gonzalez, Vann, Barron, Eugene, Addabbo Jr., Fidler, Recchia Jr., Baez, Rivera, Nelson, White Jr., Dickens, Sears and The Public Advocate (Ms. Gotbaum)

Be it enacted by the Council as follows:

Section 1. Legislative Intent. The Council hereby finds that some landlords refuse to offer available units because of the source of income tenants, including current tenants, plan to use to pay the rent. In particular, studies have shown that landlords discriminate against holders of section 8 vouchers because of prejudices they hold about voucher holders. This bill would make it illegal to discriminate on that basis.

§2. Section 8-101 of chapter one of title eight of the administrative code of the city of New York, as last amended by local law 75 of 2003, is amended to read as follows:

§ 8-101 Policy.

In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, status as a victim of domestic violence or status as a victim of sex offenses or stalking, whether children are, may be or would be residing with a person or conviction or arrest record. The council hereby finds and declares that prejudice, intolerance, bigotry, and discrimination, bias-related violence or harassment and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the institutions and foundation of a free democratic state. A city agency is hereby created with power to eliminate and prevent discrimination from playing any role in actions relating to employment, public accommodations, and housing and other real estate, and to take other actions against prejudice, intolerance, bigotry, discrimination and bias-related violence or harassment as herein provided; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

§3. Section 8-102 of chapter one of title eight of the administrative code of the city of New York, as last amended by local law 85 for the year 2005, is amended by adding a new subdivision 25 to read as follows:

25. The term "lawful source of income" shall include income derived from social security, or any form of federal, state or local public assistance or housing assistance including section 8 vouchers.

powered by Legistar™

§4. 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, as last amended by local law number 85 for the year 2005, 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.

(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, 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 of income, or whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification or discrimination.

§5. Subparagraphs 1, 2 and 3 of 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, as last amended by local law number 85 for the year 2005, are amended 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 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

powered by Legistar™

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.

(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 any lawful source of income, or to whether children are, may be or would be residing with a person, 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.

§6. Subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York, as last amended by local law number 85 for the year 2005, is amended to add a new paragraph (o) to read as follows:

(o) Applicability; lawful source of income. The provisions of this subdivision, as they relate to unlawful discriminatory practices on the basis of lawful source of income, shall not apply to housing accommodations that contain a total of five or fewer housing units, provided, however:

(i) the provisions of this subdivision shall apply to tenants subject to rent control laws who reside in housing accommodations that contain a total of five or fewer units at the time of the enactment of this local law; and provided, however

(ii) the provisions of this subdivision shall apply to all housing accommodations, regardless of the number of units contained in each, of any person who has the right to sell, rent or lease or approve the sale, rental or lease of at least one housing accommodation within New York City that contains six or more housing units, constructed or to be constructed, or an interest therein.

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

powered by Legistar™

MRM
Int. 61
1.22.08