



Legislation Text

File #: Res 0172-2018, **Version:** *

Res. No. 172

Resolution calling upon the New York State Legislature to seal housing court records until the case has been decided and to permanently seal such records if the tenant prevails.

By Council Member Levine

Whereas, According to the 2014 New York City Housing Vacancy Survey, approximately two-thirds of the housing units, or 2,184,297 units, in New York City are renter occupied; and

Whereas, Every year there are over 200,000 Housing Court filings in New York City; and

Whereas, Until recently, the Office of Court Administration (OCA) sold Housing Court data to tenant screening companies, including the names and addresses of tenants involved in Housing Court proceedings; and

Whereas, In 2012, OCA agreed to stop including the names of tenants in data sold to tenant screening companies, but continued to make tenants names available through the Unified Civil Courts' eCourts website and through the Housing Court clerk's office; and

Whereas, The tenant screening companies offer access to the list of Housing Court involved tenants to landlords for a fee, and landlords use the information to decide whether to rent to tenants; and

Whereas, These lists are often full of inaccuracies and are traded between the approximately 650 tenant screening companies across the United States; and

Whereas, Because many landlords will not rent to a tenant who has ever been in Housing Court, regardless of the outcome of the case, the tenants screening company list has become known as the "tenant blacklist"; and

Whereas, Many of the tenants currently on the tenant blacklist were in Housing Court to advocate for their legal rights, and received favorable case outcomes; and

Whereas, The threat of inclusion on the tenant blacklist discourages tenants from taking their landlords to Court, even when their rights have been violated; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to seal housing court records until the case has been decided and to permanently seal such records if the tenant prevails.

JW/JLC
LS 1191/ Res No. 234/2017
LS 1166
1/3/18