



Legislation Text

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Int. No. 178

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

By Council Members DeBlasio, Barron, Brewer, Felder, Koppell, Lopez, Martinez, Moskowitz, Perkins, Quinn, Reyna, Sanders Jr., Seabrook, Vann, Jackson, Baez, Clarke, Fidler, James, Weprin, Yassky, Liu, Palma, Gerson, Recchia Jr., Reed, McMahon, Avella, Katz, Foster and Gonzalez

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 plan to use to pay the rent. In particular, studies have shown that landlords discriminate against holders of section 8 vouchers solely because of prejudices they hold about voucher holders. This bill would make it illegal to discriminate on that basis.

§2. Section 8-102 of the administrative code of the city of New York, as last amended by local law 39 for the year 1991, is amended by adding a new subdivision 23 to read as follows:

23. The term “lawful source of income” shall mean income derived from social security, or any form of federal, state or local public assistance or housing assistance including section 8 vouchers.

§3. Subparagraphs 1, 2 and 3 of paragraph a of subdivision 5 of chapter one of section 8-107 of the administrative code of the city of New York, as last amended by local law number 39 for the year 1991, 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 or alienage

or citizenship status of such person or persons, or based on any lawful source of income, 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 or alienage or citizenship status, or based on any lawful source of income, 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 furnishings 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 the 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, martial status or alienage or citizenship status, or based on 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.

§4. Subparagraphs 1, 2 and 3 of paragraph c of subdivision 5 of chapter one of section 8-107 of the administrative code of the city of New York, as last amended by local law number 39 for the year 1991, 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 or alienage or citizenship status of such person or persons, or based on any lawful source of income, 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 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 or alienage or citizenship status of such person or persons, or based on any lawful source of income, 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 or alienage or citizenship status, or based on 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, national origin, alienage or citizenship status, or based on any lawful source of income, or a person or persons with whom children are, may be or would be residing.

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

