



Legislation Text

File #: Int 0265-2026, **Version:** *

Int. No. 265

By Council Member Krishnan, the Public Advocate (Mr. Williams), Council Members Nurse, Louis, Cabán, Banks, Hanif, Stevens and Gutiérrez

A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for discrimination based on lawful source of income

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 8-126 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, is amended to read as follows:

a. 1. Except as otherwise provided in subdivision 13 of section 8-107 and subparagraphs 2 and 3 of this paragraph, in addition to any of the remedies and penalties set forth in subdivision a of section 8-120, where the commission finds that a person has engaged in an unlawful discriminatory practice, the commission may, to vindicate the public interest, impose a civil penalty of not more than \$125,000. 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 6 of this title has occurred, the commission may, to vindicate the public interest, impose a civil penalty of not more than \$250,000.

2. In addition to any of the remedies and penalties set forth in subdivision a of section 8-120, where the commission finds that the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person or entity having the right to sell, rent, or lease or approve the sale, rental, or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof, has engaged in a discriminatory practice based on lawful source of income, the commission shall, to vindicate the public interest,

impose the following civil penalties:

(a) In a multiple dwelling with 1 to 100 units, a civil penalty between \$5,000 and \$125,000;

(b) In a multiple dwelling with 101 to 500 units, a civil penalty between \$50,000 and \$125,000; and

(c) In a multiple dwelling with more than 500 units, a civil penalty between \$75,000 and \$125,000.

3. Where the commission finds that a discriminatory practice based on lawful source of income was the result of a willful, wanton, or malicious act by the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person or entity having the right to sell, rent, or lease or approve the sale, rental, or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof, the commission must, to vindicate the public interest, impose the following civil penalties:

(a) In a multiple dwelling with 1 to 100 units, a civil penalty between \$10,000 and \$250,000;

(b) In a multiple dwelling with 101 to 500 units, a civil penalty between \$100,000 and \$250,000; and

(c) In a multiple dwelling with more than 500 units, a civil penalty between \$150,000 and \$250,000.

§ 2. This local law takes effect 60 days after it becomes law.

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LS #7885
Int. #1211-2025
1/7/2026 3:11 PM