

Establishing A Policy To Ban Discrimination In Housing On The Basis Of Source-Of- Income

WITHDRAWN BY SPONSOR

Referred to: The Health, Human Services and Housing Committee (Chairman Uchitelle and Legislators Corcoran, Erner, Lopez, Nolan, Petit, and Stewart), and The Laws, Rules and Government Services Committee (Chairman Heppner and Legislators Gavaris, Levine, Roberts, and Ronk)

Legislator Phil Erner offers the following:

WHEREAS, the Legislature has heard actual and prospective long-term and short-term residential tenants reporting their failure to obtain or maintain housing accommodation by certain real-property owners or their representatives, and at certain properties based solely upon the source of payment of their actual or proposed rent; and

WHEREAS, Ulster County residential tenants pay rent from a variety of revenue sources such as personal income and assets, Department of Social Services, and State and Federal housing vouchers and rental subsidies; and

WHEREAS, the National Association of Counties has urged the Federal government to adopt measures “to ensure equal housing opportunity for all households”; “to collect and analyze data on the effect of source-of-income discriminatory practices...”; and “to develop new or revise existing guidance to strengthen enforcement of rental subsidies and voucher non-discrimination regulations...”; now, therefore be it

RESOLVED, that the discrimination against actual or prospective residential tenants on the sole basis of source-of-income is hereby prohibited; and, be it further

RESOLVED, that violation of this law by an individual landlord against one such tenant shall be a violation; and against two or more such tenants, an unclassified misdemeanor; and, be it further

RESOLVED, that multiple convictions for misdemeanor conduct under this law shall be the maximum penalty permitted to be assessed; and, be it further

RESOLVED, that violation of this law by a landlord other than an individual shall be subject to civil penalties and punitive damages as determined by a civil court of jurisdiction; and, be it further

RESOLVED, that the Human Rights Commission shall have power to act first upon alleged violations of this law,

Resolution No. 422 July 18, 2023

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Health, Human Services and Housing on _____.

Passed Committee: Laws, Rules and Government Services on _____.

FINANCIAL IMPACT:

NONE