



Legislation Text

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Int. No. 995

By Council Members Levine, Chin and Rose

A Local Law to amend the administrative code of the city of New York, in relation to the use of certain credit information in rental housing applications

Be it enacted by the Council as follows:

Section 1. Section 8-102 of the administrative code of the city of New York is amended by adding new subdivisions 30, 31, 32 and 33 to read as follows:

30. The term “collection account” means a debt sold or referred by a creditor to a third party, or to an internal collection department, for collection.

31. The term “consumer debt judgment” means a judgment rendered by a court relating to a debt incurred primarily for a personal, family or household purpose, but does not include a judgment of foreclosure and sale on a residential mortgage.

32. The term “medical debt” means a debt arising from the receipt of medical services, products or devices.

33. The term “affordable unit” means a dwelling unit, as such term is defined in the New York city building code, for which the rent, sale price or resale price, as applicable to such unit, is restricted to make such unit affordable for occupants thereof pursuant to the affordability requirements of a city program, or a federal or state program administered by the city, in which city financial assistance, or any additional use or bulk, as such terms are defined in section 12-10 of the New York city zoning resolution, is provided. The term “affordable unit” does not include a dwelling unit that is reserved for occupancy by the superintendent of the building containing such unit. For the purpose of this definition, the term “city financial assistance” means

assistance that is paid for by the city, allocated by the city, or allocated by another individual or entity on the city's behalf, and includes, but is not limited to, any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value or other thing of value.

§ 2. Subparagraph 4 of paragraph (a) of subdivision 5 of section 8-107 of the administrative code of the city of New York is renumbered to subparagraph 6 and new subparagraphs 4 and 5 are added to read as follows:

(4) To use or consider any credit score, consumer debt judgment, collection account or medical debt of a tenant or prospective tenant in the rental or lease of a housing accommodation.

(5) In connection with the rental or lease of an affordable unit to any tenant or prospective tenant, to (i) use the consumer credit history of any member of such tenant or prospective tenant's household other than the member of such tenant or prospective tenant's household designated by such household to represent such household in all matters pertaining to the rental or lease of such unit or (ii) fail to disclose, in writing, to such designee the process and criteria by which such designee's consumer credit history will be evaluated.

§ 3. Paragraph (c) of subdivision 5 of section 8-107 of the administrative code of the city of New York is amended by adding new subparagraphs 4 and 5 to read as follows:

(4) To use or consider any credit score, consumer debt judgment, collection account or medical debt of a tenant or prospective tenant in the rental or lease of a housing accommodation.

(5) In connection with the rental or lease of an affordable unit to any tenant or prospective tenant, to (i) use the consumer credit history of any member of such tenant or prospective tenant's household other than the member of such tenant or prospective tenant's household designated by such household to represent such household in all matters pertaining to the rental or lease of such unit or (ii) fail to disclose, in writing, to such designee the process and criteria by which such designee's consumer credit history will be evaluated.

§ 4. This local law takes effect one year after it becomes law, except that the chair of the commission on human rights may take such measures as are necessary for the implementation of this local law, including the

promulgation of rules, prior to such effective date.

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