



NEW YORK STATE SENATOR

Alessandra Biaggi

SENATOR BIAGGI JOINS NYS SENATE IN PASSING LEGISLATION TO COMBAT HOUSING DISCRIMINATION

ALESSANDRA BIAGGI February 9, 2021

BRONX, NY – Yesterday, State Senator Alessandra Biaggi joined the Senate Democratic Majority in passing major legislation to continue addressing housing discrimination across New York State. This legislative package was created following two [public hearings](#) on housing discrimination that included 25 [subpoenas](#), and in response to legislative suggestions outlined in the Senate Majority’s 97-page [investigative report](#) on fair housing and discrimination on Long Island released on January 27th, 2021. The bills advanced will implement fair housing practices, implicit bias training, compensatory relief to victims of housing discrimination, create an anti-discrimination housing fund, and increase required training.

State Senator Alessandra Biaggi (D-Bronx/Westchester) issued the following statement:

"Housing discrimination is a serious form of racial injustice — and perpetuates segregation and economic inequality in our society. I am proud to join my colleagues to pass this legislative package in an effort to bolster our fair housing laws and hold the real estate industry accountable for any violations. Housing is a basic human right, and every New Yorker deserves fair and equitable access."

The bills advanced by the Senate Majority and co-sponsored by Senator Biaggi include:

- **Annual Covert Fair Housing Testing:** This legislation, Senate Bill [S.112](#) sponsored by Senator Anna Kaplan, requires the attorney general to conduct annual covert fair housing testing to assess compliance with fair housing laws throughout New York State.
 - "Fair housing testing" would include annual covert investigations conducted for the purpose of comparing how members and non-members of a protected class are treated when they are otherwise similarly situated (similar to federal pair testing), and gathering evidence of compliance with fair housing provisions pursuant to Human Rights Law.
- **Implicit Bias Training:** This legislation, Senate Bill [S.538B](#) sponsored by Senator Anna Kaplan, requires real estate brokers and salespersons to receive implicit bias training as part of their license renewal process.
- **Compensatory Damages:** This legislation, Senate Bill [S.715](#) sponsored by Senator Kevin Thomas, compels the Commissioner of the Division of Human Rights to award compensatory damages, punitive damages, or other relief to victims of housing discrimination.
- **Anti-Discrimination Housing Fund:** This legislation, Senate Bill [S.945B](#) sponsored by Senator James Gaughran, would increase the maximum fine imposed by the Department of State on real estate licensees to \$2,000, and direct fifty percent of the fine collected to a newly created Anti-Discrimination in Housing Fund to be used by the Attorney General for fair housing testing and other grants to local agencies and non-profits to fight housing discrimination.
- **Affirmatively Further Fair Housing:** This legislation, Senate Bill [S.1353](#) sponsored by Senator Brian Kavanaugh, establishes the State's Obligation to "Affirmatively Further Fair Housing" - Directs the commissioner and heads of all housing agencies to establish and administer housing programs in a manner that affirmatively further fair housing.

- **Identify Brokers:** This legislation, Senate Bill [S.1448](#) sponsored by Senator Brad Hoylman, would require that real estate salespersons and real estate brokers licensed by the Department of State legibly write their name and license number whenever required to sign a document to make it easier to identify brokers.
- **Increases Required Training:** This legislation, Senate Bill [S.2132B](#) sponsored by Senator James Skoufis, requires additional testing and training for initial licensing of brokers and salespeople, including specific courses on fair housing laws, the legacy of segregation, and anti-bias training, and requires licensing course faculty to certify that curriculum complies with Department of State regulations.
- **Standardized Client Procedures:** This legislation, Senate Bill [S.2131A](#) sponsored by Senator James Skoufis, requires standardized client intake procedures for real estate brokers.
- **Surcharge Fee:** This legislation, Senate Bill [S.2133A](#) sponsored by Senator James Skoufis, adds a surcharge to the fee paid for issuing or reissuing a real estate broker or salesmen license and directs the new funds to be used for fair housing testing by the Attorney General.
- **Statutory Obligations of Oversight:** This legislation, Senate Bill [S.2157A](#) sponsored by Senator Kevin Thomas, requires associate real estate brokers serving as real estate officer managers to exercise supervision over other associate brokers and real estate salesmen.
- **Client Demographic Data:** This legislation, Senate Bill [S.2525A](#) sponsored by Senator Brian Kavanagh, requires real estate brokers to compile client demographic data and submit it to the secretary of state.

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