

# **Fair Housing Legislation Before the NYS Legislature As of February 5, 2021**

## **TRAINING AND EDUCATION**

### **S.538-B (Kaplan)/No Same As**

Status: Senate Floor, Cal. #225

Adds 2 hrs. of “implicit bias” education within the 22.5 hours CE requirement for license renewal.

### **S.979 (Gaughran)/A.844 (Jean-Pierre)**

Status: Senate Judiciary/Assembly Judiciary

Increases the number of continuing education hours required for license renewal to 24.5 hours and adds that at least 2 of those hours must be on cultural competency training.

### **S.2132-B (Skoufis)/No Same As**

Status: Senate Floor, Cal.# 229

Increases pre-licensing broker and salesperson course hours, requires affirmation of instructors’ compliance in course education, adds broker supervision education in brokers qualifying course, directs the DOS to promulgate rules regarding the content and instruction of fair housing education, and a DOS notice and public hearing requirement.

### **S.2134 (Skoufis)/No Same As**

Status: Senate Judiciary

Establishes that the Secretary of State must require approved instructors providing continuing education courses to sign a DOS-approved document under oath attesting to compliance with all statutory and regulatory requirements pertaining to the instruction of the established curriculum being taught. The provisions of this bill are included in S.2132.

## **FEES AND FINES**

### **S.2133-A (Skoufis)/No Same As**

Status: Senate Floor, Cal. #231

Adds an additional \$30 surcharge to the license fee for real estate brokers and an additional \$10 surcharge to the license fee for real estate salespersons “to be used for statewide fair housing testing efforts” overseen by the NYS Attorney General.

### **S.945-B(Gaughran)/No Same As**

Status: Senate Floor, Cal. #226

Increases fines for real estate license violations from \$1,000 to \$2,000. The additional fine amount is dedicated to an “Anti-discrimination in Housing Fund” within the DOS to support Fair Housing Testing

**S.715 (Thomas)/No Same As**

Status: Senate Floor, Cal. #130

Authorizes civil penalties and punitive damages for violations of Human Rights Law related to the sale or rental of housing.

**INCREASED REGULATION AND OVERSIGHT**

**S.2131-A (Skoufis)/No Same As**

Status: Senate Floor, Cal. #229

Requires standard operating procedure for prerequisites that prospective homebuyers must meet prior to services for each brokerage regarding ID, exclusive brokerage agreements and financing pre-approval. The DOS is given discretion regarding compliance procedures and requires a notice and public comment period.

**S.2157-A (Thomas)/No Same As**

Status: Senate Floor, Cal. #232

Requires two years' experience as an associate broker before designation as an office manager.

**S.2525-A (Kavanaugh)/No Same As**

Status: Senate Floor, Cal. #233

Requires brokers to collect and annually disclose to the DOS transactional data; provides an option for clients to voluntarily disclose demographic would also be reported to the DOS.

**S.2156 (Thomas)/No Same As**

Status: Senate Judiciary

Adds new language in NYS real estate license law regarding a broker's responsibility to supervise and adds a new obligation to exercise "reasonable and adequate" supervision over real estate salespersons and associate brokers.

**Public Reporting**

**S.3437-A (Gaughran)/A.2300-A (Jean-Pierre)**

Status: Senate Investigations Committee/Assembly Government Operations

Requires the establishment of a toll-free hotline for complaints of fair-housing violations within the NYS Division of Human Rights.