

New Chapter Amendments and Effective Dates for NYS Fair Housing Laws

On December 21, 2021, Governor Kathy Hochul [signed](#) a series of new fair housing bills into law. NYSAR is proud to have worked with state lawmakers over the last two years to strengthen fair housing laws in New York State and is committed to educating REALTORS® about these new laws and regulations. In Governor Hochul's approval messages for several of these fair housing laws, the governor included a series of technical amendments, or chapter amendments, to amend certain provisions and effective dates of the laws, which the Legislature has agreed to pass early this year. Below is a description of the new fair housing laws along with the proposed chapter amendments where applicable. NYSAR will continue to post updates when they occur.

- [S.538-B/A.4638-A](#) (Chapter 686 of 2021)
Adds 2 hours of implicit bias education for real estate licensees within the 22.5 hours of CE requirements.
*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7769](#)) that **will extend the effective date to September 21, 2022** (9 months after being signed into law).*
- [S.979-A/A.844-A](#) (Chapter 688 of 2021)
Adds 2 hours of cultural competency education for real estate licensees within the 22.5 hours of CE requirements.
*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7770](#)) to define "cultural competency" as "understanding cultural norms, preferences and challenges within our diverse communities;" and **will extend the effective date to September 21, 2022** (9 months after being signed into law).*
- [S.2131-A/A.6186](#) (Chapter 696 of 2021)
Requires the Department of State (DOS) to develop regulations pertaining to requiring brokerages to institute standard operating procedures (SOPs) and submit them to the DOS.
*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7729](#)) that will also require real estate brokers to date stamp, notarize and post SOPs on any public websites, mobile apps, and upon request, at any office locations. Any alterations to SOPs must also be date stamped and notarized within 30 days and archived by the broker. Affirmation of compliance to the DOS will be required of brokers at the time of renewal of a license. **The effective date will be extended to April 20, 2022;** however the DOS will still have to go through the regulatory process which could extend the date brokers would be required to comply.*
- [S.2132-B/A.5359](#) (Chapter 697 of 2021)
Increases pre-licensing broker and salesperson course hour requirements to 152 hours and 77 hours, respectively, with 6 hours focused on fair housing for salespersons; and requires instructors' compliance in course education under oath.

*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7730](#)) that allows for instructors to submit an oath of compliance electronically, and **will extend the effective date to December 21, 2022** (1 year after being signed into law).*

- [S.2133-A/A.5363](#) (Chapter 698 of 2021)
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.
*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7731](#)) that makes technical changes to the distribution of funds into an anti-discrimination in housing fund and **will extend the effective date to January 20, 2022** (30 days after being signed into law).*
- [S.945-B/A.6866](#) (Chapter 687 of 2021)
Increases the maximum fine for real estate license violations from \$1,000 to \$2,000, with new funds dedicated to a new anti-discrimination in housing fund.
*Update: Governor Hochul and the Legislature have agreed to a chapter amendment ([S.7728](#)) that makes technical changes to the obligations and reporting requirements of the state Attorney General pertaining to conducting fair housing testing; and **will expedite the effective date to January 20, 2022**.*
- [S.2157-A/A.6355](#) (Chapter 699 of 2021)
Requires two years' experience as an associate broker before designation as an office manager; and establishes a standard for the supervision of real estate agents and associate brokers by office managers that is equivalent to that of a licensed broker.
This bill was signed into law without any changes and is now in effect.
- [S.3437-C/A.2300-C](#) (Chapter 701 of 2021)
Requires the state to establish a telephone hotline for housing discrimination complaints.
*This bill was signed into law without any changes and **will go in effect April 20, 2022** (120 days after being signed into law).*