

ASSEMBLY, No. 1761

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Prohibits discrimination against prospective tenant based on information in credit report.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT prohibiting financial discrimination against tenants and
2 amending P.L.2002, c.82.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 6 of P.L.2002, c.82 (C.10:5-8.1) is amended to read
8 as follows:

9 6. a. The Attorney General shall prepare a statement notifying
10 landlords that the "Law Against Discrimination," P.L.1945, c.169
11 (C.10:5-1et seq.), as amended by P.L.2002, c.82, prohibits
12 discrimination against: (1) tenants based on the source of income
13 being used for rental or mortgage payments, and (2) prospective
14 tenants through the refusal of a landlord to rent a unit of housing
15 because of negative information contained in a prospective tenant's
16 credit report from a consumer reporting agency described in section
17 603(p) of the Fair Credit Reporting Act, Pub.L.91-508 (15
18 U.S.C.s.1681a(p)). The notification shall advise landlords that
19 notwithstanding a negative credit report, a prospective tenant shall
20 be deemed financially able to make rent payments when the
21 prospective tenant provides documentation to the landlord verifying
22 that the prospective tenant's income is sufficient to enable them to
23 afford the monthly rent charged by the landlord on the rental unit.

24 In addition, the notification shall include instructions for those
25 wishing to report such discrimination to the Division on Civil
26 Rights.

27 b. Each agency or entity authorized to issue federal rental
28 assistance vouchers to eligible tenants shall include a copy of the
29 notification required pursuant to subsection a. of this section when
30 issuing such a voucher.

31 (cf: P.L.2002, c.82, s.6)

32

33 2. This act shall take effect immediately.

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35

36 STATEMENT

37

38 This bill requires the Attorney General to include additional
39 information in the notification to landlords, required in the "Law
40 Against Discrimination" (LAD), that the LAD prohibits
41 discrimination against tenants based on the source of income being
42 used for rental or mortgage payments.

43 This bill would require that notice to also advise landlords that
44 the LAD prohibits them from refusing to rent a unit of housing to a
45 prospective tenant because of negative information contained in the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 prospective tenant's credit report from a consumer reporting agency
2 described in section 603(p) of the Fair Credit Reporting Act,
3 Pub.L.91-508 (15 U.S.C.s.1681a(p)).

4 The notification must advise landlords that notwithstanding a
5 negative credit report, a prospective tenant shall be deemed
6 financially able to make rent payments when the prospective tenant
7 provides documentation to the landlord verifying that the
8 prospective tenant's income is sufficient to enable them to afford
9 the monthly rent charged by the landlord on the rental unit.