

**SENATE, No. 2479**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED APRIL 16, 2018

**Sponsored by:**

**Senator BRIAN P. STACK**

**District 33 (Hudson)**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**SYNOPSIS**

Requires inclusion of information about discriminatory housing practices in Truth in Renting Guide.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning discriminatory housing practices and amending  
2 P.L.1975, c.310.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 3 of P.L.1975, c.310 (C.46:8-45) is amended to read  
8 as follows:

9 3. a. (1) The department shall, as soon as practicable and  
10 annually thereafter, after public hearing, prepare and make available  
11 at no cost to the public, to the extent that funding has been made  
12 available to the department for free distribution, a statement, in a  
13 form and size suitable for posting and distributing pursuant to the  
14 provisions of this act, of the primary clearly established legal rights  
15 and responsibilities of tenants and landlords of rental dwelling  
16 units.

17 (2) This statement shall be printed in both the English and  
18 Spanish languages and shall be posted on the department's Internet  
19 website, in an easily printable format, and updated annually. The  
20 statement shall serve as an informational document, and nothing  
21 therein shall be construed as binding on or affecting a judicial  
22 determination under section 6 of P.L.1975, c.310 (C.46:8-48) of  
23 what constitutes a lease provision which violates clearly established  
24 legal rights of tenants or responsibilities of landlords.

25 (3) The statement shall contain information about discriminatory  
26 housing practices prohibited under the "Law Against  
27 Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.) in substantially  
28 the following form:

29  
30 The New Jersey Law Against Discrimination  
31 requires equal treatment in the sale or rental of  
32 housing regardless of race, creed, color, national  
33 origin, ancestry, sex, marital status, civil union status,  
34 domestic partnership status, familial status,  
35 affectional or sexual orientation, gender identity or  
36 expression, mental and physical disability,  
37 nationality, or source of lawful income. Because a  
38 state or federally issued housing voucher qualifies as  
39 a source of lawful income, it is unlawful for a  
40 landlord to refuse to rent to persons with Section 8  
41 housing vouchers. It is also an unlawful practice to  
42 advertise that a landlord will not rent to persons with  
43 Section 8 housing vouchers.

**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       b. Where practical considerations make it necessary for the  
2 department to limit the extent of the statement, items to be included  
3 shall be selected on the basis of the importance of their inclusion in  
4 protecting the rights of the public.

5 (cf: P.L.2007, c.177, s.1)

6  
7       2. This act shall take effect immediately.

8  
9  
10                                   STATEMENT

11  
12       This bill would bolster recent enforcement efforts targeting  
13 unlawful advertising practices of landlords, which were designed to  
14 deter prospective tenants from applying for rental housing if they  
15 held Section 8 housing vouchers, by requiring the Department of  
16 Community Affairs to update the Truth-in-Renting Guide to inform  
17 the public that such practices are discriminatory and unlawful.

18       The Division on Civil Rights within the New Jersey Attorney  
19 General's Office recently learned that an online marketplace was  
20 accepting advertisements for rental housing from property managers  
21 and landlords, which were designed to discourage prospective  
22 tenants from applying if they would be paying with federal Section  
23 8 assistance vouchers. The division issued warning letters to those  
24 who had placed these ads, which urged them to immediately cease  
25 and desist from discriminatory advertising practices. Reportedly,  
26 the online marketplace has also modified its practices to protect  
27 against the placement of unlawful advertisements.

28       Current law, "The Truth-in-Renting Act," N.J.S.A.46:8-43 et  
29 seq., requires the Department of Community Affairs to prepare,  
30 make available, and update annually a statement in English and in  
31 Spanish of the established rights and responsibilities of residential  
32 tenants and landlords in the State. The law requires the department  
33 to post this document, known as the Truth-in-Renting Guide, on the  
34 department's Internet website. The Truth-in-Renting Guide  
35 currently contains information about discriminatory housing  
36 practices, which are prohibited under the New Jersey Law Against  
37 Discrimination, but does not specifically inform landlords, tenants  
38 and the general public that it is unlawful for a landlord to refuse to  
39 rent to persons with Section 8 housing vouchers and that posting an  
40 advertisement that a landlord will not rent to persons with Section 8  
41 housing vouchers is also an unlawful practice. By requiring DCA  
42 to update the guide to include this information, this bill will help  
43 protect against continued unlawful, discriminatory conduct.