



Testimony - Zillow Group

Tuesday, February 2, 2021

Zillow Group strongly supports Governor Cuomo's efforts to expand electronic notarization (TED, Part P), expand homeownership through SONYMA mortgage programs (ELFA, Part X), and extend discrimination protections for New Yorkers (ELFA, Part S).

At Zillow, we aim to meaningfully promote a fair, equitable housing market, and a consumer-first seamless experience for home buyers, landlords, renters, and sellers. Our company was launched in 2006 with the mission to bring transparency to an otherwise opaque for-sale and rental market, and empower all consumers with information in their home search process. We believe that all home shoppers should have access to the same information, opportunities, and tools.

But we know, systemic racism is deeply rooted in the housing market. According to the National Fair Housing Alliance's (NFHA) [2019 Fair Housing Trends Report](#), there were 31,202 housing discrimination complaints in 2018, the highest since NFHA began producing this report in 1995. The impacts of redlining, discrimination codified nearly a century ago, continues to impact homeowners and entire communities across the country and here in New York.

Zillow's data and economic research has illuminated historical inequities and discrimination that plague the housing sector: There's no justice in the fact that nationwide, Black mortgage applicants are [denied at twice the rate](#) of white applicants, and the gap between the Black and white home ownership rates is [wider now](#) than it was in 1900. In New York, Black mortgage applicants are denied at a rate of 17%, with white applicants denied at only 11%.

Governor Cuomo's proposal to expand access to construction loans, including credit access for non-profits, and assistance for first-time homebuyers in communities disproportionately impacted by the foreclosure crisis and predatory and illegal redlining practices is a critical step forward for more fair housing opportunities for New York (ELFA, Part X).

Additionally, we support the Governor's proposal to expand nondiscrimination protections by adding citizenship and immigration status to the state's list of protected classes (ELFA, Part S). By ensuring that all New Yorkers, regardless of citizenship or immigration status, are protected from discrimination in housing, employment and public accommodations, this initiative will go a long way in ensuring housing opportunities for all.

At Zillow, we believe that the needs of all consumers should be at the heart of home shopping. Consumers need equal access to information, opportunities, and the tools at their disposal to complete real estate transactions -- including digital tools, whether for convenience or to address social distancing health concerns. Governor Cuomo's budget provision allowing for remote online notarization (TED, Part P) will allow New Yorkers to not only have a smoother real estate transaction, but more importantly take precautions if they choose while closing on their next home by participating in the process virtually.



To best achieve these goals of ease and health safety for consumers, we recommend two minor but important changes to the following provisions: First, eliminate the requirement for a notary public to be physically situated in New York state at the time of remote notarization. Second, eliminate the requirement that each remote notarization be completed by wet signature, and instead allow loan and closing documents to be signed through secure digital methods. Changing these provisions will provide greater flexibility and safety to consumers while still maintaining the integrity of state rules and regulations.

Remote online notarization was temporarily extended to New York through Governor Cuomo's [Executive Order 202.7](#), which modified certain laws during the state of emergency brought on by the coronavirus pandemic. This unexpected "trial run" of remote online notarization proved that it works for New Yorkers, and we believe that it should be extended permanently.

For these reasons, Zillow Group supports the Governor's efforts to expand electronic notarization (TED, Part P), expand homeownership through SONYMA mortgage programs (ELFA, Part X), and expand nondiscrimination protections (ELFA, Part S).

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