S T A T E O F N E W Y O R K

1734

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. ESPAILLAT, KRUEGER, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the administrative code of the city of New York, in relation to requiring landlords to provide notice of rental history upon the signing of a vacancy lease

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The administrative code of the city of New York is amended by adding a new section 26-517.2 to read as follows:

S 26-517.2 NOTICE OF RENTAL HISTORY. A. FOR HOUSING ACCOMMODATIONS SUBJECT TO THIS CODE, AN OWNER SHALL FURNISH TO EACH TENANT SIGNING A VACANCY LEASE, A NOTICE IN A FORM PROMULGATED OR APPROVED BY THE STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL THAT SETS FORTH THE RENT AMOUNT ACTUALLY PAID BY TENANTS FOR THE FOUR YEARS IMMEDIATELY PRIOR TO THE VACANCY, IF ANY, AN EXPLANATION OF HOW THE RENTAL AMOUNT PROVIDED FOR IN THE VACANCY LEASE HAS BEEN COMPUTED ABOVE THE AMOUNT SHOWN IN THE MOST RECENT ANNUAL REGISTRATION STATEMENT, AND A STATEMENT THAT ANY INCREASE ABOVE THE AMOUNT SET FORTH IN SUCH REGISTRATION STATEMENT IS IN ACCORDANCE WITH THE ADJUSTMENTS PERMITTED BY THE RENT GUIDELINES BOARD AND THIS CODE.

B. UPON COMPLAINT BY THE TENANT THAT HE OR SHE WAS NOT FURNISHED WITH A COPY OF THE NOTICE REQUIRED PURSUANT TO SUBDIVISION A OF THIS SECTION, THE DIVISION OF HOUSING AND COMMUNITY RENEWAL SHALL ORDER THE OWNER TO FURNISH THE NOTICE. IF THE OWNER FAILS TO COMPLY WITHIN TWENTY DAYS OF SUCH ORDER, THE OWNER SHALL NOT BE ENTITLED TO COLLECT ANY GUIDELINES LEASE ADJUSTMENT AUTHORIZED FOR ANY CURRENT LEASE FROM THE COMMENCEMENT DATE OF SUCH LEASE. THE FURNISHING OF THE NOTICE BY THE OWNER TO THE TENANT OR HOTEL OCCUPANT SHALL RESULT IN THE ELIMINATION, PROSPECTIVELY, OF SUCH PENALTY.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 2. This act shall take effect immediately; provided that the amendment to chapter 4 of title 26 of the administrative code of the city of New York made by section one of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.