

9847

I N A S S E M B L Y

April 15, 2016

Introduced by M. of A. PERRY -- read once and referred to the Committee
on Housing

AN ACT to amend the real property law, in relation to enacting the room-
ers' rights protection act

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

1 Section 1. This act shall be known and may be cited as the "roomers'
2 rights protection act".
3 S 2. The real property law is amended by adding a new section 231-b to
4 read as follows:
5 S 231-B. UTILITY SERVICES FOR RESIDENTIAL ROOMING LEASES. 1. EVERY
6 LANDLORD THAT APPORTIONS A RESIDENCE AND LEASES INDIVIDUAL ROOMS TO
7 ROOMERS WHERE UTILITY SERVICES, INCLUDING, BUT NOT LIMITED TO, HEAT,
8 ELECTRICITY, AND WATER ARE SHARED AND ARE NOT INDIVIDUALLY MEASURED,
9 SHALL:
10 A. PLACE ALL UTILITY METERS IN THE LANDLORD'S NAME;
11 B. ENTER INTO AN INDIVIDUAL LEASE WITH EACH ROOMER; AND
12 C. PROVIDE ON THE LEASE THE NAME AND CONTACT INFORMATION FOR EACH
13 UTILITY SERVICE PROVIDER PROVIDING SERVICES TO THE ROOMER'S PREMISES.
14 2. WHERE SERVICES ARE SHARED, A LANDLORD SHALL NOT REQUIRE A ROOMER TO
15 LIST THE METER FOR SUCH SERVICES IN HIS OR HER NAME AND THE COST OF SUCH
16 UTILITIES SHALL BE DEEMED TO BE INCLUDED IN THE RENT.
17 3. A. A TENANT SHALL NOT BE REQUIRED BY LEASE, OTHER DOCUMENT OR ORAL
18 AGREEMENT TO WAIVE HIS OR HER RIGHT TO A TRIAL BY JURY OR ANY OTHER
19 LEGAL RIGHTS THAT HE OR SHE WOULD BE ENTITLED TO AS A TENANT IN THE
20 STATE OF NEW YORK IN THE EVENT THE TENANT BECOMES INVOLVED WITH A HOUS-
21 ING PROCEEDING AGAINST THE LANDLORD BASED ON A VIOLATION OF THE
22 PROVISIONS OF THIS SECTION OR ANY OTHER LAW, RULE OR REGULATION GOVERN-
23 ING LANDLORD-TENANT DISPUTES.
24 B. A TENANT WHO IS SUCCESSFUL AGAINST THE LANDLORD IN A HOUSING
25 PROCEEDING BASED ON A VIOLATION OF THE PROVISIONS OF THIS SECTION MAY
26 REQUEST THE AWARD OF ATTORNEY'S FEES, COSTS AND DISBURSEMENTS ASSOCIATED
27 WITH THE PROCEEDING.

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

LBD14202-05-6

1 4. THE PROVISIONS OF THIS SECTION SHALL ONLY APPLY IN A CITY HAVING A
2 POPULATION OF ONE MILLION OR MORE PERSONS.
3 S 3. This act shall take effect on the ninetieth day after it shall
4 have become a law.