

STATE OF NEW YORK

6348

2023-2024 Regular Sessions

IN SENATE

April 17, 2023

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to enacting the "tenants organizing for power act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "tenants organizing for power act".

3 § 2. Section 230 of the real property law, as added by chapter 809 of
4 the laws of 1975 and subdivision 2 as amended by chapter 90 of the laws
5 of 1995, is amended to read as follows:

6 § 230. Right of tenants to form, join or participate in tenants'
7 groups. 1. For the purposes of this section, the term "tenants' organ-
8 ization" means a bona fide organization of tenants who represent a
9 majority of the occupied rental units in a rental housing property with
10 five units or more, or a bona fide organization working to achieve such
11 status. Tenants' organizations may engage in the following activities,
12 including but not limited to: (a) initiating contact with tenants,
13 including by conducting door-to-door surveys, to ascertain interest in
14 and/or seek support for forming a tenant organization; (b) joining or
15 supporting another tenant organization; (c) distributing literature; (d)
16 requesting or providing information; (e) offering assistance; (f)
17 convening meetings, which may occur without a landlord or landlord
18 representative present; or (g) otherwise acting on behalf of one or more
19 tenants in the building regarding issues of common interest or concern.

20 2. No landlord shall interfere with the right of a tenant to form,
21 join or participate in the lawful activities of any group, committee or
22 other organization formed to protect the rights of tenants; nor shall
23 any landlord harass, punish, penalize, diminish, or withhold any right,
24 benefit or privilege of a tenant under his or her tenancy for exercising
25 such right.

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

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1 ~~[2-]~~ 3. Tenants' groups, committees or other tenants' organizations
2 shall have the right to meet without being required to pay a fee in any
3 location on the premises including a community or social room where use
4 is normally subject to a fee which is devoted to the common use of all
5 tenants in a peaceful manner, at reasonable hours and without obstruct-
6 ing access to the premises or facilities. No landlord shall deny such
7 right.

8 4. Tenants' groups, committees or other tenants' organizations shall
9 have the right to invite outside guests or visitors, including but not
10 limited to elected officials, service providers, and housing lawyers, to
11 their regular meetings without being required to pay a fee in any
12 location on the premises including a community or social room where use
13 is normally subject to a fee which is devoted to the common use of all
14 tenants in a peaceful manner, at reasonable hours and without obstruct-
15 ing access to the premises or facilities. No landlord shall deny such
16 right.

17 5. No landlord or an agent of a landlord shall prohibit or interfere
18 with an occupant of a rental unit in a building, or a guest invited by
19 an occupant, from engaging in organizing activities.

20 6. Tenants in a building may establish a bona fide tenants' organiza-
21 tion pursuant to this section by providing their landlord with a peti-
22 tion signed by tenants representing fifty percent of the occupied units
23 within a building or property certifying that such tenants desire to
24 form a tenants' organization. A copy of such petition may also be filed
25 with the clerk of the governing municipality.

26 7. Landlords and tenants' organizations shall confer with each other
27 in good faith regarding housing conditions, community life, landlord-
28 tenant relations, and other issues of common interest or concern. Exam-
29 ples of conferring in good faith may include maintaining a designated
30 point of contact, engaging in regular communications, responding to
31 reasonable requests for information, allowing participation by non-resi-
32 dent advocates, and negotiating and putting agreements into writing. In
33 addition, a landlord shall, on written request of a tenants' organiza-
34 tion, attend either themselves or through their representative at least
35 one tenants' organization meeting every six months, although more
36 frequent attendance at the request of the tenants' organization shall be
37 permitted. Such meetings shall occur at a mutually convenient time and
38 place. To request that a landlord or their representative attend a meet-
39 ing, the tenants' organization shall send the landlord a written request
40 at least fourteen days in advance. Alternatively, if a tenants' organ-
41 ization meets at a regularly scheduled time and place, then such
42 tenants' organization may send the landlord a single standing request to
43 attend meetings for the duration of the calendar year.

44 § 3. This act shall take effect immediately.