

# STATE OF NEW YORK

8048

## IN SENATE

January 5, 2024

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, in relation to authorizing a civil penalty when owners refuse to participate in a vacancy survey or submits false vacancy information

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

1 Section 1. Subdivision e of section 3 of section 4 of chapter 576 of  
2 the laws of 1974, constituting the emergency tenant protection act of  
3 nineteen seventy-four, as added by a chapter of the laws of 2023, amend-  
4 ing the emergency tenant protection act of nineteen seventy-four relat-  
5 ing to studies to determine vacancy rates, as proposed in legislative  
6 bills numbers S. 1684-A and A. 6843-A, is amended to read as follows:

7 e. [~~Refusal by an~~] A municipality may impose a civil penalty or fee of  
8 up to five hundred dollars on an owner or their agent if the owner or  
9 their agent refuses to participate in such vacancy survey and cooperate  
10 with the municipality or a designee in such vacancy survey, or  
11 [~~submission of~~] submits knowingly and intentionally false vacancy infor-  
12 mation [~~may be deemed cause to deny a rental permit or certificate of~~  
13 ~~occupancy for a housing accommodation. Such municipality may addi-~~  
14 ~~tionally impose a civil penalty or fee on such owner or their agent of~~  
15 ~~up to one thousand dollars~~].

16 § 2. This act shall take effect on the same date and in the same  
17 manner as a chapter of the laws of 2023, amending the emergency tenant  
18 protection act of nineteen seventy-four relating to studies to determine  
19 vacancy rates, as proposed in legislative bills numbers S. 1684-A and A.  
20 6843-A, takes effect.

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

LBD05739-04-4