STATE OF NEW YORK

1640--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. ROSENTHAL, TAYLOR -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to requiring landlords to replace the lock on a tenant's door if requested by a tenant who is a victim of domestic violence

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

Section 1. The real property law is amended by adding a new section 238-b to read as follows:

§ 238-b. Replacement door locks for victims of domestic violence. 1. Where a tenant has a lock installed and maintained by their landlord for the entrance door of their dwelling unit, and such tenant or a member of such tenant's household is a victim of domestic violence, as defined by section four hundred fifty-nine-a of the social services law, and reasonably fears potential further domestic violence, such tenant may request that the lock be replaced. A tenant requesting such an accommodation shall provide an attestation in writing that they would like the lock replaced due to their status as a victim of domestic violence and that they reasonably fear potential further domestic violence. Any landlord who receives a request pursuant to this subdivision shall comply with the request within twenty-four hours of receipt. A landlord may request documentation demonstrating that the tenant or a member of the tenant's household has been a victim of domestic violence. Such documentation shall include, but not be limited to, a temporary or final order of protection issued by a court of competent jurisdiction, or a record, complaint, or report from a federal, state, or local law enforcement agency of an act of domestic violence as described in section four hundred fifty-nine-a of the social services law or a family

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

LBD03946-02-6

offense as described in section eight hundred twelve of the family court act, or certifying that the tenant or a member of the tenant's household has been subjected to domestic violence.

2. If a landlord fails to replace the lock within twenty-four hours of a request being made, the tenant may change the lock without the landlord's permission and may deduct the cost from a future payment of rent. If the tenant changes the lock, the tenant shall promptly provide a key to the new lock to the landlord.

3. The landlord shall not require the tenant to pay any additional rent, deposit or fee for the replacement of locks.

4. A landlord who violates the provisions of this section shall be subject to a civil penalty in an amount to be as follows:

(a) one hundred dollars for failure to replace such lock within twenty-four hours of the request;

(b) two hundred fifty dollars for failure to replace such lock within forty-eight hours of the request; and

(c) five hundred dollars for each subsequent twenty-four hours after the initial forty-eight hours since the request until such lock is replaced.

5. This section shall only apply when the perpetrator is not a lawful occupant of the dwelling unit for which the lock replacement request is made.

§ 2. This act shall take effect immediately.