

STATE OF NEW YORK

2701

2025-2026 Regular Sessions

IN ASSEMBLY

January 22, 2025

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

AN ACT to amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to surcharges assessed for the late filing of rent registration statements

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

1 Section 1. Subdivision e of section 26-517 of the administrative code
2 of the city of New York, as amended by section 1 of part C of chapter
3 760 of the laws of 2023, is amended to read as follows:
4 e. The failure to file a proper and timely initial or annual rent
5 registration statement shall, until such time as such registration is
6 filed, bar an owner from applying for or collecting any rent in excess
7 of the legal regulated rent in effect on the date of the last preceding
8 registration statement or if no such statements have been filed, the
9 legal regulated rent in effect on the date that the housing accommo-
10 dation became subject to the registration requirements of this section.
11 The filing of a late registration shall result in the prospective elimi-
12 nation of such sanctions and provided that increases in the legal regu-
13 lated rent were lawful except for the failure to file a timely registra-
14 tion, the owner, upon the service and filing of a late registration,
15 shall not be found to have collected an overcharge at any time prior to
16 the filing of the late registration. In addition to all other require-
17 ments set forth in this subdivision, in the event a timely rent regis-
18 tration is not filed and after notice of such delinquency is provided by
19 the state division of housing and community renewal to the owner in the
20 form of electronic mail and mail to the address listed in the owner's
21 most recent registration statement, the owner shall be subject to a fine
22 of [~~five hundred~~ one thousand] dollars per unregistered unit for each
23 month the registration is delinquent. Such a fine shall be imposed by

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

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1 order, and such order imposing a fine shall be deemed a final determi-
2 nation for the purposes of judicial review. Such fine may, upon the
3 expiration of the period for seeking review pursuant to article seven-
4 ty-eight of the civil practice law and rules, be docketed and enforced
5 in the manner of a judgment of the supreme court by the state division
6 of housing and community renewal.

7 § 2. Subdivision e of section 12-a of section 4 of chapter 576 of the
8 laws of 1974, constituting the emergency tenant protection act of nine-
9 teen seventy-four, as amended by section 2 of part C of chapter 760 of
10 the laws of 2023, is amended to read as follows:

11 e. The failure to file a proper and timely initial or annual rent
12 registration statement shall, until such time as such registration is
13 filed, bar an owner from applying for or collecting any rent in excess
14 of the legal regulated rent in effect on the date of the last preceding
15 registration statement or if no such statements have been filed, the
16 legal regulated rent in effect on the date that the housing accommo-
17 dation became subject to the registration requirements of this section.
18 The filing of a late registration shall result in the prospective elimi-
19 nation of such sanctions and provided that increases in the legal regu-
20 lated rent were lawful except for the failure to file a timely registra-
21 tion, the owner, upon the service and filing of a late registration,
22 shall not be found to have collected an overcharge at any time prior to
23 the filing of the late registration. In addition to all other require-
24 ments set forth in this subdivision, in the event a timely rent regis-
25 tration is not filed and after notice of such delinquency is provided by
26 the division of housing and community renewal to the owner in the form
27 of electronic mail and mail to the address listed in the owner's most
28 recent registration statement, the owner shall be subject to a fine of
29 [~~five hundred~~ one thousand] dollars per unregistered unit for each month
30 the registration is delinquent. Such a fine shall be imposed by order,
31 and such order imposing a fine shall be deemed a final determination for
32 the purposes of judicial review. Such fine may, upon the expiration of
33 the period for seeking review pursuant to article seventy-eight of the
34 civil practice law and rules, be docketed and enforced in the manner of
35 a judgment of the supreme court by the division of housing and community
36 renewal.

37 § 3. This act shall take effect immediately; provided that the amend-
38 ments to section 26-517 of chapter 4 of title 26 of the administrative
39 code of the city of New York made by section one of this act shall
40 expire on the same date as such law expires and shall not affect the
41 expiration of such law as provided under section 26-520 of such law.