# STATE OF NEW YORK

9019

2025-2026 Regular Sessions

# IN ASSEMBLY

September 5, 2025

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, and the real property law, in relation to establishing an annual income eligibility limit for certain elected officials residing in rent stabilized housing

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

Section 1. Section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four is amended by adding a new section 5-a to read as follows:

**§ 5-a. Income eligibility for certain public officers. a. For the purposes of this section, the following terms shall have the following meanings:**

**(1) "Annual gross income" shall mean the total income from all sources, before taxes of all occupants eighteen years of age or older who use the housing accommodation as their primary residence.**

**(2) "Commissioner" shall mean the commissioner of the division of housing and community renewal and any successor thereto.**

**(3) "Division" shall mean the division of housing and community renewal and any successor thereto.**

**b. Notwithstanding any other provision of law, no housing accommodation subject to this law shall be offered or continued as a tenancy to any person serving as the mayor of the city of New York if the combined annual gross income of all persons residing in such accommodation is two hundred fifty-eight thousand dollars or more, as verified pursuant to subdivision c of this section.**

**c. The owner shall require, and the tenant shall provide, annual income certification to the division in such form and manner as the commissioner shall prescribe. The division shall promulgate rules to**

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

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verify reported income, including, but not limited to cross-referencing state tax records.

d. Any person who knowingly makes a false statement in an income certification under this section shall be subject to a civil penalty of not more than ten thousand dollars, in addition to any other penalties provided by law.

§ 2. The real property law is amended by adding a new section 235-k to read as follows:

§ 235-k. Lease terminations for ineligible tenants in rent stabilized housing. 1. A landlord may commence a special proceeding pursuant to article seven of the real property actions and proceedings law to recover possession of a housing accommodation subject to rent stabilization where the household income exceeds the limit set forth in section five-a of section four of chapter five hundred seventy-six of the laws of nineteen seventy-four constituting the emergency tenant protection act of nineteen seventy-four.

2. Proceedings under this section shall be given preference in the scheduling of the court.

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law, provided, however, that the division of housing and community renewal shall promulgate rules and regulations necessary to implement this act no later than ninety days after it shall have become a law.