

STATE OF NEW YORK

5645

2025-2026 Regular Sessions

IN SENATE

February 26, 2025

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the emergency tenant protection act of nineteen seventy-four and the administrative code of the city of New York, in relation to qualifications of public members of rent guidelines boards

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

1 Section 1. Subdivision a of section 4 of section 4 of chapter 576 of
2 the laws of 1974, constituting the emergency tenant protection act of
3 nineteen seventy-four, as amended by section 5 of part G of chapter 36
4 of the laws of 2019, is amended to read as follows:
5 a. In each county wherein any city having a population of less than
6 one million or any town or village has determined the existence of an
7 emergency pursuant to section three of this act, there shall be created
8 a rent guidelines board to consist of nine members appointed by the
9 commissioner of housing and community renewal upon recommendation of the
10 county legislature, except that a rent guidelines board created subse-
11 quent to the effective date of the chapter of the laws of two thousand
12 nineteen that amended this section shall consist of nine members
13 appointed by the commissioner of housing and community renewal upon
14 recommendations of the local legislative body of each city having a
15 population of less than one million or town or village which has deter-
16 mined the existence of an emergency pursuant to section three of this
17 act. Such recommendation shall be made within thirty days after the
18 first local declaration of an emergency in such county; two such members
19 shall be representative of tenants, two shall be representative of
20 owners of property, and five shall be public members each of whom shall
21 have had at least five years experience in either finance, economics or
22 housing. One public member shall be designated by the commissioner to
23 serve as [~~chairman~~] chair and shall hold no other public office. No

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

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1 member, officer or employee of any municipal rent regulation agency or
2 the state division of housing and community renewal and no person who
3 owns or manages real estate covered by this law or who is an officer of
4 any owner or tenant organization shall serve on a rent guidelines board;
5 provided, further, however, no person who owns or manages more than four
6 rental units within the state of New York shall serve as a public member
7 on a rent guidelines board. One public member, one member represen-
8 tative of tenants and one member representative of owners shall serve
9 for a term ending two years from January first next succeeding the date
10 of their appointment; one public member, one member representative of
11 tenants and one member representative of owners shall serve for terms
12 ending three years from the January first next succeeding the date of
13 their appointment and three public members shall serve for terms ending
14 four years from January first next succeeding the dates of their
15 appointment. Thereafter, all members shall serve for terms of four
16 years each. Members shall continue in office until their successors
17 have been appointed and qualified. The commissioner shall fill any
18 vacancy which may occur by reason of death, resignation or otherwise in
19 a manner consistent with the original appointment. A member may be
20 removed by the commissioner for cause, but not without an opportunity to
21 be heard in person or by counsel, in ~~[his]~~ their defense, upon not less
22 than ten days notice. Compensation for the members of the board shall be
23 at the rate of one hundred dollars per day, for no more than twenty days
24 a year, except that the ~~[chairman]~~ chair shall be compensated at the
25 rate of one hundred twenty-five dollars a day for no more than thirty
26 days a year. The board shall be provided staff assistance by the divi-
27 sion of housing and community renewal. The compensation of such members
28 and the costs of staff assistance shall be paid by the division of hous-
29 ing and community renewal which shall be reimbursed in the manner
30 prescribed in this section ~~[four of this act]~~. The local legislative
31 body of each city having a population of less than one million and each
32 town and village in which an emergency has been determined to exist as
33 herein provided shall be authorized to designate one person who shall be
34 representative of tenants and one person who shall be representative of
35 owners of property to serve at its pleasure and without compensation to
36 advise and assist the county rent guidelines board in matters affecting
37 the adjustment of rents for housing accommodations in such city, town or
38 village as the case may be.

39 § 2. Subdivision a of section 26-510 of the administrative code of the
40 city of New York is amended to read as follows:

41 a. There shall be a rent guidelines board to consist of nine members,
42 appointed by the mayor. Two members shall be representative of tenants,
43 two shall be representative of owners of property, and five shall be
44 public members each of whom shall have had at least five years experi-
45 ence in either finance, economics or housing. One public member shall be
46 designated by the mayor to serve as ~~[chairman]~~ chair and shall hold no
47 other public office. No member, officer or employee of any municipal
48 rent regulation agency or the state division of housing and community
49 renewal and no person who owns or manages real estate covered by this
50 law or who is an officer of any owner or tenant organization shall serve
51 on a rent guidelines board; provided, further, however, no person who
52 owns or manages more than four rental units within the state of New York
53 shall serve as a public member on a rent guidelines board. One public
54 member, one member representative of tenants and one member represen-
55 tative of owners shall serve for a term ending two years from January
56 first next succeeding the date of their appointment; one public member,

1 one member representative of tenants and one member representative of
2 owners shall serve for terms ending three years from the January first
3 next succeeding the date of their appointment and two public members
4 shall serve for terms ending four years from January first next succeed-
5 ing the dates of their appointment. The [~~chairman~~] chair shall serve at
6 the pleasure of the mayor. Thereafter, all members shall continue in
7 office until their successors have been appointed and qualified. The
8 mayor shall fill any vacancy which may occur by reason of death, resig-
9 nation or otherwise in a manner consistent with the original appoint-
10 ment. A member may be removed by the mayor for cause, but not without an
11 opportunity to be heard in person or by counsel, in [~~his or her~~] their
12 defense, upon not less than ten days notice.

13 § 3. This act shall take effect on the thirtieth day after it shall
14 have become a law and shall apply to public members currently serving on
15 a rent guidelines board; provided, however, that the amendments to
16 section 26-510 of chapter 4 of title 26 of the administrative code of
17 the city of New York made by section two of this act shall expire on the
18 same date as such law expires and shall not affect the expiration of
19 such law as provided under section 26-520 of such law.