

3088

2011-2012 Regular Sessions

I N S E N A T E

February 8, 2011

Introduced by Sen. STAVISKY -- 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 administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to charges for the installation or use of certain appliances in housing accommodations subject to rent control and rent stabilization

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The administrative code of the city of New York is amended
2 by adding a new section 26-513.1 to read as follows:
3 S 26-513.1 LIMIT PASS-ALONG COST OF APPLIANCES IN LEASES. WHERE A
4 LANDLORD INCLUDES A CHARGE FOR ANY APPLIANCE AS PART OF A TENANT'S
5 MONTHLY RENT, SUCH AMOUNT MAY ONLY BE CHARGED UNTIL SUCH TIME AND IN
6 SUCH AMOUNT AS TO COVER THE COST OF SUCH APPLIANCE, INCLUDING ANY DOCU-
7 MENTED INTEREST. WHEN THE TOTAL AMOUNT OF THE APPLIANCE, PLUS ANY INTER-
8 EST AMOUNT INCURRED BY THE LANDLORD FOR THE PURCHASE OF SUCH APPLIANCE,
9 HAS BEEN PAID BY THE TENANT, THE LANDLORD SHALL DECREASE THE TENANT'S
10 RENT BY SUCH ADDITIONAL CHARGE. A LANDLORD SHALL MAINTAIN RECORDS DOCU-
11 MENTING ANY AMOUNTS PAID, INCLUDING INTEREST, FOR AN APPLIANCE.
12 S 2. Section 6 of section 4 of chapter 576 of the laws of 1974,
13 constituting the emergency tenant protection act of nineteen seventy-
14 four is amended by adding a new subdivision h to read as follows:
15 H. NOTWITHSTANDING ANY PROVISION OF THIS ACT TO THE CONTRARY, WHERE A
16 LANDLORD INCLUDES A CHARGE FOR ANY APPLIANCE AS PART OF A TENANT'S
17 MONTHLY RENT, SUCH AMOUNT MAY ONLY BE CHARGED UNTIL SUCH TIME AND IN
18 SUCH AMOUNT AS TO COVER THE COST OF SUCH APPLIANCE, INCLUDING ANY DOCU-
19 MENTED INTEREST. WHEN THE TOTAL AMOUNT OF THE APPLIANCE, PLUS ANY INTER-
20 EST AMOUNT INCURRED BY THE LANDLORD FOR THE PURCHASE OF SUCH APPLIANCE,
21 HAS BEEN PAID BY THE TENANT, THE LANDLORD SHALL DECREASE THE TENANT'S

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

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1 RENT BY SUCH ADDITIONAL CHARGE. A LANDLORD SHALL MAINTAIN RECORDS DOCU-
2 MENTING ANY AMOUNTS PAID, INCLUDING INTEREST, FOR AN APPLIANCE.
3 S 3. This act shall take effect immediately provided section 26-513.1
4 of the rent stabilization law of nineteen hundred sixty-nine as added by
5 section one of this act shall expire on the same date as such law
6 expires and shall not affect the expiration of such law as provided
7 under section 26-520 of such law; provided further that the amendments
8 to section 4 of the emergency tenant protection act of nineteen seven-
9 ty-four made by section two of this act shall expire on the same date as
10 such act expires and shall not affect the expiration of such act as
11 provided in section 17 of chapter 576 of the laws of 1974, as amended.