

1376

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and  
when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to the duty of a  
landlord to provide a written receipt of rent paid

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

1     Section 1. Section 235-e of the real property law, as amended by chap-  
2     ter 848 of the laws of 1986, is amended to read as follows:  
3     S 235-e. Duty of landlord to provide written receipt. (a) Upon the  
4     receipt of rent for residential premises in the form of cash or any  
5     instrument other than the personal check of the tenant, it shall be the  
6     duty of the landlord to provide the payor OR IF PAID IN WHOLE OR PART BY  
7     A SOCIAL SERVICES DISTRICT OR THE OFFICE OF TEMPORARY AND DISABILITY  
8     ASSISTANCE, THEN THE TENANT, with a written receipt containing the  
9     following:  
10     1. The date;  
11     2. The amount;  
12     3. The identity of the premises and period for which paid; and  
13     4. The signature and title of the person receiving the rent OR THE  
14     PRINTED NAME, ADDRESS AND TELEPHONE NUMBER OF THE LICENSED REAL ESTATE  
15     BROKER OR FIRM IN CHARGE OF THE DWELLING OR THE PRINTED NAME, NEW YORK  
16     CITY ADDRESS AND TELEPHONE NUMBER OF THE MANAGING AGENT OR DESIGNEE  
17     DESCRIBED IN PARAGRAPH FIVE OF SUBDIVISION A OF SECTION 27-2098 OF THE  
18     ADMINISTRATIVE CODE OF THE CITY OF NEW YORK.  
19     (b) Where a tenant, in writing, requests that a landlord provide a  
20     receipt for rent paid by personal check, it shall be the duty of the  
21     landlord to provide the payor with the receipt described in subdivision  
22     (a) of this section for each such request made in writing.  
23     (C) IN ADDITION TO ANY OTHER REMEDY AUTHORIZED BY LAW, A COURT MAY  
24     IMPOSE A TWENTY-FIVE DOLLAR REDUCTION IN THE RENT FOR EACH FAILURE TO

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

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1 COMPLY WITH THE PROVISIONS OF THIS SECTION IN ANY PROCEEDING COMMENCED  
2 UNDER ARTICLE SEVEN OF THE REAL PROPERTY ACTIONS AND PROCEEDINGS LAW.  
3 (D) THE OFFICE OF COURT ADMINISTRATION SHALL DEVELOP, DISTRIBUTE AND  
4 WHERE NECESSARY PROVIDE TENANTS WITH AN EXPLANATION OF THE WRITTEN  
5 RECEIPT EACH LANDLORD MUST PRESENT TO A TENANT UPON PAYMENT OF RENT.  
6 SUCH OFFICE SHALL TAKE SUCH STEPS AS ARE NECESSARY TO INFORM TENANTS OF  
7 THEIR RIGHT TO RECEIVE SUCH RECEIPT AND A LANDLORD'S OBLIGATION TO  
8 PROVIDE SUCH RECEIPT.  
9 S 2. This act shall take effect on the first of November next succeed-  
10 ing the date on which it shall have become a law.