

5212

2013-2014 Regular Sessions

I N S E N A T E

May 14, 2013

Introduced by Sen. FLANAGAN -- 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 sprinkler system notice in residential leases

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

- 1 Section 1. The real property law is amended by adding a new section
2 231-a to read as follows:
3 S 231-A. SPRINKLER SYSTEM NOTICE IN RESIDENTIAL LEASES. 1. EVERY RESI-
4 DENTIAL LEASE ENTERED INTO ON OR AFTER JANUARY FIRST, TWO THOUSAND FOUR-
5 TEEN, SHALL PROVIDE CONSPICUOUS NOTICE IN BOLD FACE TYPE AS TO THE
6 EXISTENCE OR NON-EXISTENCE OF A MAINTAINED AND OPERATIVE SPRINKLER
7 SYSTEM IN THE LEASED PREMISES.
8 2. FOR PURPOSES OF THIS SECTION, "SPRINKLER SYSTEM" SHALL HAVE THE
9 SAME MEANING AS DEFINED IN SECTION ONE HUNDRED FIFTY-FIVE-A OF THE EXEC-
10 UTIVE LAW.
11 3. IF THERE IS A MAINTAINED AND OPERATIVE SPRINKLER SYSTEM IN THE
12 LEASED PREMISES, THE RESIDENTIAL LEASE AGREEMENT SHALL PROVIDE FURTHER
13 NOTICE AS TO THE LAST DATE OF MAINTENANCE AND INSPECTION.
14 4. FAILURE TO PROVIDE NOTICE IN THE RESIDENTIAL LEASE AGREEMENT AS TO
15 THE EXISTENCE OR NON-EXISTENCE OF A MAINTAINED AND OPERATIVE SPRINKLER
16 SYSTEM SHALL DEEM THE LEASE VOID, AND THE LESSEE SHALL BE ENTITLED TO
17 RECOVER THE CONSIDERATION PAID.
18 S 2. This act shall take effect immediately.

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

LBD10953-01-3