S T A T E O F N E W Y O R K

1497

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to harassment of a rent regulated tenant

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

Section 1. Section 241.05 of the penal law, as added by chapter 116 of the laws of 1997, is amended to read as follows:

S 241.05 Harassment of a rent regulated tenant IN THE FIRST DEGREE.

An owner is guilty of harassment of a rent regulated tenant IN THE FIRST DEGREE when with intent to cause a rent regulated tenant to vacate a housing accommodation, such owner:

1. With intent to cause physical injury to such tenant, causes such injury to such tenant or to a third person; or

2. Recklessly causes physical injury to such tenant or to a third person.

Harassment of a rent regulated tenant IN THE FIRST DEGREE is a class E felony.

S 2. The penal law is amended by adding a new section 241.03 to read as follows:

S 241.03 HARASSMENT OF A RENT REGULATED TENANT IN THE SECOND DEGREE.

AN OWNER IS GUILTY OF HARASSMENT OF A RENT REGULATED TENANT IN THE SECOND DEGREE WHEN, WITH THE INTENT TO CAUSE A RENT REGULATED TENANT TO VACATE A HOUSING ACCOMMODATION, SUCH OWNER INTENTIONALLY IMPAIRS THE HABITABILITY OF A HOUSING ACCOMMODATION, OR CREATES OR MAINTAINS A CONDITION, WHICH ENDANGERS THE SAFETY OR HEALTH OF THE DWELLING'S TENANT.

HARASSMENT OF A RENT REGULATED TENANT IN THE SECOND DEGREE IS A CLASS A MISDEMEANOR.

S 3. This act shall take effect immediately; provided however that the provisions of this act shall not affect the expiration and repeal of article 241 of the penal law pursuant to subdivision 6 of section 46 of chapter 116 of the laws of 1997, as amended, and shall expire and be deemed repealed therewith.

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

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