

5723

2015-2016 Regular Sessions

I N A S S E M B L Y

March 3, 2015

Introduced by M. of A. HOOPER, STECK, ARROYO -- Multi-Sponsored by -- M.
of A. MILLER, PEOPLES-STOKES, ROBINSON, TITONE -- read once and
referred to the Committee on Housing

AN ACT to amend the real property law, in relation to inspection of
dwellings and extermination of bedbug infestations by owners upon
reasonable notice

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

1 Section 1. The real property law is amended by adding a new section
2 235-h to read as follows:
3 S 235-H. BEDBUG INFESTATIONS. 1. DEFINITIONS. AS USED IN THIS SECTION,
4 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
5 (A) "TENANT" SHALL MEAN A PERSON LEGALLY OCCUPYING RESIDENTIAL REAL
6 PROPERTY WHO IS EITHER A PARTY TO THE LEASE OR RENTAL AGREEMENT FOR SUCH
7 PREMISES OR IS A STATUTORY TENANT.
8 (B) "DWELLING" SHALL MEAN RESIDENTIAL REAL PROPERTY THAT IS FOR THE
9 OCCUPATION AS A RESIDENCE BY A TENANT OR OTHER LEGAL OCCUPANT.
10 (C) "OWNER" SHALL MEAN THE OWNER OF ANY REAL RESIDENTIAL PROPERTY
11 BEING USED AS A DWELLING.
12 (D) "ERADICATION" SHALL MEAN THE ELIMINATION OF BEDBUGS FROM ANY
13 DWELLING OR ANY PORTION THEREOF THROUGH THE USE OF PESTICIDES, TREAT-
14 MENTS, FUMIGATION, OR ANY OTHER METHOD OF EXTERMINATION.
15 2. BEDBUG (CIMEX LECTULARIUS) INFESTATIONS. A DWELLING OWNER SHALL
16 KEEP THE PREMISES FREE FROM BEDBUG INFESTATIONS THROUGH ERADICATION
17 MEASURES. AN OWNER SHALL PROVIDE A TENANT WITH WRITTEN NOTICE AT LEAST
18 FORTY-EIGHT HOURS BEFORE THE IMPLEMENTATION OF AN ERADICATION MEASURE.
19 3. NOTICES. AN OWNER WHO HAS KNOWLEDGE THAT BEDBUGS ARE PRESENT IN A
20 DWELLING SHALL HAVE THE RIGHT TO INSPECT THE DWELLING FOR THE PRESENCE
21 OF BEDBUGS. WITHIN FORTY-EIGHT HOURS OF SUCH KNOWLEDGE, AN OWNER SHALL
22 PROVIDE WRITTEN NOTICE TO ALL TENANTS THAT BEDBUGS ARE PRESENT IN A
23 DWELLING. BEFORE INSPECTION OF ANY TENANT APARTMENT, AN OWNER SHALL
24 PROVIDE TO A TENANT WRITTEN NOTICE AT LEAST FORTY-EIGHT HOURS BEFORE THE
25 IMPLEMENTATION OF AN ERADICATION MEASURE.
26 S 2. This act shall take effect immediately.

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

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