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

9847

I N A S S E M B L Y

April 15, 2016

Introduced by M. of A. PERRY -- read once and referred to the Committee on Housing

AN ACT to amend the real property law, in relation to enacting the roomers' rights protection act

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

Section 1. This act shall be known and may be cited as the "roomers' rights protection act".

S 2. The real property law is amended by adding a new section 231-b to read as follows:

S 231-B. UTILITY SERVICES FOR RESIDENTIAL ROOMING LEASES. 1. EVERY LANDLORD THAT APPORTIONS A RESIDENCE AND LEASES INDIVIDUAL ROOMS TO ROOMERS WHERE UTILITY SERVICES, INCLUDING, BUT NOT LIMITED TO, HEAT, ELECTRICITY, AND WATER ARE SHARED AND ARE NOT INDIVIDUALLY MEASURED, SHALL:

A. PLACE ALL UTILITY METERS IN THE LANDLORD'S NAME;

B. ENTER INTO AN INDIVIDUAL LEASE WITH EACH ROOMER; AND

C. PROVIDE ON THE LEASE THE NAME AND CONTACT INFORMATION FOR EACH UTILITY SERVICE PROVIDER PROVIDING SERVICES TO THE ROOMER'S PREMISES.

2. WHERE SERVICES ARE SHARED, A LANDLORD SHALL NOT REQUIRE A ROOMER TO LIST THE METER FOR SUCH SERVICES IN HIS OR HER NAME AND THE COST OF SUCH UTILITIES SHALL BE DEEMED TO BE INCLUDED IN THE RENT.

3. A. A TENANT SHALL NOT BE REQUIRED BY LEASE, OTHER DOCUMENT OR ORAL AGREEMENT TO WAIVE HIS OR HER RIGHT TO A TRIAL BY JURY OR ANY OTHER LEGAL RIGHTS THAT HE OR SHE WOULD BE ENTITLED TO AS A TENANT IN THE STATE OF NEW YORK IN THE EVENT THE TENANT BECOMES INVOLVED WITH A HOUSING PROCEEDING AGAINST THE LANDLORD BASED ON A VIOLATION OF THE PROVISIONS OF THIS SECTION OR ANY OTHER LAW, RULE OR REGULATION GOVERNING LANDLORD-TENANT DISPUTES.

B. A TENANT WHO IS SUCCESSFUL AGAINST THE LANDLORD IN A HOUSING PROCEEDING BASED ON A VIOLATION OF THE PROVISIONS OF THIS SECTION MAY REQUEST THE AWARD OF ATTORNEY'S FEES, COSTS AND DISBURSEMENTS ASSOCIATED WITH THE PROCEEDING.

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

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4. THE PROVISIONS OF THIS SECTION SHALL ONLY APPLY IN A CITY HAVING A POPULATION OF ONE MILLION OR MORE PERSONS.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.