

# STATE OF NEW YORK

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1867

2017-2018 Regular Sessions

## IN SENATE

January 11, 2017

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Introduced by Sen. MARCHIONE -- 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 requiring that landlords ensure that any window treatments installed in a residential unit are in proper working order

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 2 and 3 of section 235-b of the real property  
2 law are renumbered subdivisions 3 and 4 and a new subdivision 2 is added  
3 to read as follows:

4 2. Any window covering, including, but not limited to, blinds, shades,  
5 valances, or curtains, installed by a landlord shall be properly  
6 installed and in working order according to manufacturer specifications  
7 and instructions and shall comply with all the safety standards and  
8 conditions delineated in the two thousand twelve American National Stan-  
9 dard for Safety of Corded Window Covering Products. The failure of a  
10 landlord to comply with the provisions of this subdivision shall be  
11 deemed a breach of the warranty of habitability.

12 § 2. Subdivision m of section 233 of the real property law, as amended  
13 by chapter 566 of the laws of 1996, is amended to read as follows:

14 m. Warranty of habitability, maintenance, disruption of services. In  
15 every written or oral lease or rental agreement entered into by a manu-  
16 factured home tenant, the manufactured home park owner or operator shall  
17 be deemed to covenant and warrant that the premises so leased or rented  
18 and the manufactured home if rented and all areas used in connection  
19 therewith in common with other manufactured home tenants or residents  
20 including all roads within the manufactured home park are fit for human  
21 habitation and for the uses reasonably intended by the parties and that  
22 the occupants of such premises and such manufactured homes if rented  
23 shall not be subjected to any conditions which would be dangerous,  
24 hazardous or detrimental to their life, health or safety. When any such

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

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1 condition has been caused by the misconduct of the manufactured home  
2 tenant or lessee or persons under his direction or control, it shall not  
3 constitute a breach of such covenants and warranties. The rights and  
4 obligations of the manufactured home park owner or operator and the  
5 manufactured home tenant shall be governed by the provisions of this  
6 subdivision and subdivisions two [~~and~~], three and four of section two  
7 hundred thirty-five-b of this article.

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