

# STATE OF NEW YORK

9127

## IN SENATE

June 29, 2018

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the real property law, in relation to short-term property rentals

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  
2 238-a to read as follows:

3 § 238-a. Short-term rental; certification of no violations. 1. When-  
4 ever used in this section the term "short-term rental" shall mean the  
5 renting of a property of a term of thirty days or less.

6 2. A property owner who uses their property consisting of a one or two  
7 family dwelling for the purposes of a short-term rental must first  
8 certify with the local municipal agency with jurisdiction over the prop-  
9 erty being rented that there are no pending violations of the housing  
10 and/or building codes existing on the property. Each such certification  
11 shall be valid for ninety days. If the property owner does not certify  
12 or certifies and is found to have a pending violation when using a prop-  
13 erty for a short-term rental, the property owner shall be liable for a  
14 civil penalty of not more than one thousand dollars for a first  
15 violation, five thousand dollars for a second violation, and seventy-  
16 five hundred dollars and/or an order to vacate for the third and subse-  
17 quent violations.

18 § 2. This act shall take effect on the one hundred twentieth day after  
19 it shall have become a law.

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

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