STATE OF NEW YORK

2865--A

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. McDONALD, ORTIZ -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

m. Warranty of habitability, maintenance, disruption of services. In every written or oral lease or rental agreement entered into by a manufactured home tenant, the manufactured home park owner or operator shall be deemed to covenant and warrant that the premises so leased or rented and the manufactured home if rented and all areas used in connection therewith in common with other manufactured home tenants or residents including all roads within the manufactured home park are fit for human habitation and for the uses reasonably intended by the parties and that the occupants of such premises and such manufactured homes if rented shall not be subjected to any conditions which would be dangerous,

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

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hazardous or detrimental to their life, health or safety. When any such condition has been caused by the misconduct of the manufactured home tenant or lessee or persons under his direction or control, it shall not constitute a breach of such covenants and warranties. The rights and obligations of the manufactured home park owner or operator and the manufactured home tenant shall be governed by the provisions of this subdivision and subdivisions two [~~and~~], three **and four** of section two hundred thirty-five-b of this article.

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