

# STATE OF NEW YORK

490

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

Introduced by M. of A. M. G. MILLER -- read once and referred to the  
Committee on Judiciary

AN ACT to amend the real property law, in relation to the duty of land-  
lords to verify the licensure of massage therapist tenants

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 § 235-h. Duty of landlords to verify licensure of massage therapist  
4 tenants. 1. Prior to entering into a rental agreement with an individual  
5 who intends to engage in the practice of massage therapy, as defined by  
6 section seventy-eight hundred one of the education law, for hire in the  
7 space that is subject to such rental agreement, a landlord shall have  
8 the duty to verify that such individual is licensed to practice massage  
9 therapy pursuant to article one hundred fifty-five of the education law.  
10 A landlord shall be deemed to have satisfied the verification require-  
11 ment of this subdivision if such landlord obtains and retains a copy of  
12 a valid license issued to such individual by the state board for massage  
13 therapy.

14 2. If a tenant who engages in the practice of massage therapy for hire  
15 in the space that is subject to a rental agreement is found guilty of  
16 violating section 230.20, 230.25, 230.30 or 230.32 of the penal law, or  
17 section six thousand five hundred twelve of the education law, the land-  
18 lord of such tenant shall be subject to a civil penalty of one thousand  
19 dollars if it is shown by substantial evidence that such landlord failed  
20 to verify that such tenant is licensed to practice massage therapy  
21 pursuant to article one hundred fifty-five of the education law.

22 § 2. This act shall take effect on the thirtieth day after it shall  
23 have become a law.

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

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