STATE OF NEW YORK

342

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sen. PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the multiple dwelling law, in relation to the short term rental of dwelling units through internet based residential rental websites

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

Section 1. Section 4 of the multiple dwelling law is amended by adding two new subdivisions 15-a and 15-b to read as follows:

15-a. "Short term rental unit" is a class A multiple dwelling unit that is made available for rent or for hire by the tenant or legal subtenant thereof, to guests for a period of thirty consecutive days or less. Such term shall not include any rental or use of such a dwelling unit by the owner or landlord thereof.

15-b. "Internet based residential rental website" is an internet website or other electronic service that offers, promotes or provides access to the rental or use of any short term rental unit.

§ 2. The multiple dwelling law is amended by adding a new section 15 to read as follows:

§ 15. Application of chapter to certain short term rental units. 1. Notwithstanding any provision of this chapter to the contrary, in the event of a violation of the provisions of this chapter relating to a short term rental unit rented or used by guests, who used an internet based residential rental website to identify such unit, any and all fines and penalties assigned for such violation shall be imposed upon the tenant or legal subtenant who caused the short term rental unit to be rented to or used by such guests. No owner or landlord shall be liable for any such fine or penalty, unless such owner or landlord shall

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

LBD00138-01-7

have had knowledge of and allowed the continuance of the short term rental of the dwelling unit.

2. Whenever the tenant or legal subtenant of a short term rental unit shall have abandoned such unit and his or her location is not available to the department, the landlord or owner of the dwelling unit shall, upon request of the department, provide all information it possesses relating to the location or potential location of such tenant or subtenant.

§ 3. This act shall take effect immediately.