STATE OF NEW YORK

5054

2017-2018 Regular Sessions

IN SENATE

March 6, 2017

Introduced by Sen. KENNEDY -- 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 real property actions and proceedings law, in relation to increasing the maximum civil penalty

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

Section 1. Paragraph (a) of subdivision 8 of section 1308 of the real property actions and proceedings law, as added by section 1 of part Q of chapter 73 of the laws of 2016, is amended to read as follows:

(a) Violations of this section may be heard before a hearing officer or a court of competent jurisdiction. If it shall appear to the satisfaction of the hearing officer or the court, based on the preponderance of the evidence, that the mortgagee or agent of a mortgagee has violated this section, a civil penalty may be issued by the hearing officer or the court in the amount of up to [~~five hundred~~] **one thousand** dollars per day per property for each day the violation persisted.

§ 2. This act shall take effect immediately.

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

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