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:

Section 1. The real property law is amended by adding a new section 238-a to read as follows:

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

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

§ 2. This act shall take effect on the one hundred twentieth day after 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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