

# STATE OF NEW YORK

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3190--A

Cal. No. 287

2019-2020 Regular Sessions

## IN ASSEMBLY

January 28, 2019

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Introduced by M. of A. HUNTER, MOSLEY, BARRON -- read once and referred to the Committee on Housing -- reported and referred to the Committee on Codes -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the real property law, in relation to allowing tenants to deduct water payments they make for deficient landlords from their rent

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

1 Section 1. Subdivision 1 of section 235-a of the real property law, as  
2 amended by chapter 713 of the laws of 1981, is amended to read as  
3 follows:

4 1. In any case in which a residential tenant shall lawfully make a  
5 payment to a utility company pursuant to the provisions of sections  
6 thirty-three, thirty-four and one hundred sixteen of the public service  
7 law, or to a utility company as defined in subdivision twenty-three of  
8 section two of the public service law, public authority, water-works  
9 corporation, as defined in subdivision twenty-seven of section two of  
10 the public service law, or municipal water system, as prescribed in  
11 section eighty-nine-1 of the public service law, for water service which  
12 a landlord is responsible for but has failed or refused to provide  
13 payment therefor, such payment shall be deductible from any future  
14 payment of rent.

15 § 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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