STATE OF NEW YORK

7990--A

2019-2020 Regular Sessions

IN ASSEMBLY

May 30, 2019

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to violations of certain notice requirements; and to amend the real property tax law, in relation to prohibiting landlords from including incorrect information relating to rent decontrol in certain leases and renewals thereof pertaining to units subject to the Affordable New York Housing Program

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 235-i to read as follows:

§ 235-i. Willful violations of certain notice requirements. A landlord or any person acting on behalf of the landlord who willfully includes information he or she knows to be misleading or incorrect information in any notice provided pursuant to subparagraph (ii) of paragraph (f) of subdivision two of section four hundred twenty-one-a of the real property tax law is guilty of a violation punishable by a fine of one thousand dollars.

§ 2. Subparagraph (ii) of paragraph (f) of subdivision 2 of section 421-a of the real property tax law, as amended by chapter 289 of the laws of 1985, is amended to read as follows:

(ii) with respect to units which become subject to the provisions of this section after the effective date of this subparagraph, such tax benefit period as provided in the opening paragraph of this paragraph or applicable law or act shall have expired and either each lease and renewal thereof for such unit for the tenant in residence at the time of such decontrol has included a notice in at least twelve point type informing such tenant that the unit shall become subject to such decon-

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

LBD10963-04-0

trol upon the expiration of such tax benefit period as provided in the opening paragraph of this paragraph or applicable law or act and states the approximate date on which such tax benefit period as provided in the opening paragraph of this paragraph is scheduled to expire; or such unit becomes vacant as provided under subparagraph (i) of this paragraph. **Notwithstanding the provisions of this subparagraph, the notice required by this subdivision shall not be included in any lease or renewal thereof if the unit to which the lease or renewal thereof pertains will remain subject to rent regulation or rent control pursuant to an additional tax exemption or rent stabilization program after the expiration of the tax benefit period as provided in the opening paragraph of this paragraph. Neither a landlord nor any person acting on behalf of the landlord shall include incorrect or misleading information in any notice provided pursuant to this subparagraph.**

§ 3. This act shall take effect on the sixtieth day after it shall have become a law and shall apply to all leases entered into, renewed or extended on and after such effective date. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.