STATE OF NEW YORK

3942

2019-2020 Regular Sessions

IN SENATE

February 21, 2019

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

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:

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

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

§ 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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