

# STATE OF NEW YORK

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3190

2019-2020 Regular Sessions

## IN ASSEMBLY

January 28, 2019

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Introduced by M. of A. HUNTER, MOSLEY -- read once and referred to the  
Committee on Housing

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