STATE OF NEW YORK

4789

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

Introduced by M. of A. BLAKE, BARRON, COOK, GOTTFRIED, HYNDMAN, MOSLEY, ORTIZ, SEAWRIGHT, TAYLOR -- read once and referred to the Committee on Housing

AN ACT to amend the real property law, in relation to landlord's proposed rental amenity changes and increased rent

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

Section 1. Section 226-a of the real property law, as added by chapter 76 of the laws of 1959 and renumbered by chapter 107 of the laws of 1975, is amended to read as follows:

§ 226-a. Effect of new lease on tenant's right to remove **or deny** fixtures or improvements. **1.** Unless otherwise expressly agreed, where a tenant has a right to remove fixtures or improvements, such right shall not be lost or impaired by reason of his acceptance of a new lease of the same premises without any surrender of possession between terms.

2. Tenants shall have the option to decline proposed rental amenity changes recommended by the landlords so long as the amenity changes are not essential to the foundation and function of the building, such as heating, support, plumbing, etc. and the changes would result in an increase in 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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