STATE OF NEW YORK

5044

2019-2020 Regular Sessions

IN ASSEMBLY

February 6, 2019

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to a cap on security deposits for residential leases of one year or longer

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

Section 1. Section 7-103 of the general obligations law is amended by adding a new subdivision 2-c to read as follows:

2-c. (a) For all contracts under this section of one year or longer, any deposit or advance shall not exceed the amount of one month's rent under such contract.

(b) Any additional move-in fees, including fees for common household pets, background checks or credit checks, shall be included within the dollar amount required by paragraph (a) of this subdivision. If the landlord requests a deposit for the residing of a common household pet from the tenant, such fee shall not exceed twenty-five percent of the total deposit or advance. Any other move-in fee shall not exceed ten percent of the total deposit or advance.

(c) All fees under this section, except fees for background checks and credit checks, shall be refundable to the tenant. The portion of any fee collected by the landlord for a tenant's common household pet shall only be retained by the landlord after the tenant has vacated the premises if such money is used for cleaning or to repair damages caused directly by such pet.

(d) Any person who violates the provisions of this subdivision shall be punished by a civil fine of up to fifteen percent of the annual rent under such contract.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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