

STATE OF NEW YORK

5763

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

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

AN ACT to amend the real property law, in relation to manufactured home park rental fee increases

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

1 Section 1. Paragraph 3 of subdivision g of section 233 of the real
2 property law, as amended by chapter 566 of the laws of 1996, is amended
3 to read as follows:

4 3. (i) No fees, charges, assessments or rental fees may be increased
5 by manufactured home park owner or operator without specifying the date
6 of implementation of said fees, charges, assessments or rental fees
7 which date shall be no less than:

8 (A) ninety days after written notice to all manufactured home
9 tenants~~[-]~~ in the case of increases to fees, charges or assessments; and

10 (B) one year notice by personal service or certified mail to all manu-
11 factured home tenants in the case of increases to rental fees.

12 (ii) If a rental fee increase is greater than the percentage increase
13 of the consumer price index as reported by the Bureau of Labor Statis-
14 tics of the United States Department of Labor, the manufactured home
15 park owner shall hold a meeting with all manufactured home tenants with-
16 in forty-five days of the notice required by clause (B) of subparagraph
17 (i) of this paragraph. The meeting shall be held at the manufactured
18 home park community center, or if there is no community center or if
19 such community center cannot accommodate such meeting, the meeting shall
20 be held in a handicapped accessible facility that is no more than two
21 miles from the manufactured home park. The date, time and location of
22 this meeting shall be included with the notice to increase rental fees
23 required by clause (B) of subparagraph (i) of this paragraph.

24 (iii) Failure on the part of the manufactured home park owner or oper-
25 ator to fully disclose all fees, charges or assessments shall prevent

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

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1 the manufactured home park owner or operator from collecting said fees,
2 charges or assessments, and refusal by the manufactured home tenant to
3 pay any undisclosed charges shall not be used by the manufactured home
4 park owner or operator as a cause for eviction in any court of law.
5 § 2. This act shall take effect on the ninetieth day after it shall
6 have become a law.