

# STATE OF NEW YORK

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1024

2019-2020 Regular Sessions

## IN SENATE

January 10, 2019

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Introduced by Sens. RIVERA, 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 landlord's  
proposed rental amenity changes and increased rent

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

1 Section 1. Section 226-a of the real property law, as added by chapter  
2 76 of the laws of 1959 and renumbered by chapter 107 of the laws of  
3 1975, is amended to read as follows:

4 § 226-a. Effect of new lease on tenant's right to remove or deny  
5 fixtures or improvements. 1. Unless otherwise expressly agreed, where a  
6 tenant has a right to remove fixtures or improvements, such right shall  
7 not be lost or impaired by reason of his acceptance of a new lease of  
8 the same premises without any surrender of possession between terms.

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