

# STATE OF NEW YORK

---

5651--A

2019-2020 Regular Sessions

## IN SENATE

May 9, 2019

---

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to violations of certain notice requirements; and to amend the real property tax law, in relation to prohibiting landlords from including incorrect information relating to rent decontrol in certain leases and renewals thereof pertaining to units subject to the Affordable New York Housing Program

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

1 Section 1. The real property law is amended by adding a new section  
2 235-i to read as follows:

3 § 235-i. Willful violations of certain notice requirements. A landlord  
4 or any person acting on behalf of the landlord who willfully includes  
5 information he or she knows to be misleading or incorrect information in  
6 any notice provided pursuant to subparagraph (ii) of paragraph (f) of  
7 subdivision two of section four hundred twenty-one-a of the real prop-  
8 erty tax law is guilty of a violation punishable by a fine of one thousand  
9 dollars.

10 § 2. Subparagraph (ii) of paragraph (f) of subdivision 2 of section  
11 421-a of the real property tax law, as amended by chapter 289 of the  
12 laws of 1985, is amended to read as follows:

13 (ii) with respect to units which become subject to the provisions of  
14 this section after the effective date of this subparagraph, such tax  
15 benefit period as provided in the opening paragraph of this paragraph or  
16 applicable law or act shall have expired and either each lease and  
17 renewal thereof for such unit for the tenant in residence at the time of  
18 such decontrol has included a notice in at least twelve point type  
19 informing such tenant that the unit shall become subject to such decon-

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

LBD10963-03-0

1 trol upon the expiration of such tax benefit period as provided in the  
2 opening paragraph of this paragraph or applicable law or act and states  
3 the approximate date on which such tax benefit period as provided in the  
4 opening paragraph of this paragraph is scheduled to expire; or such unit  
5 becomes vacant as provided under subparagraph (i) of this paragraph.

6 Notwithstanding the provisions of this subparagraph, the notice required  
7 by this subdivision shall not be included in any lease or renewal there-  
8 of if the unit to which the lease or renewal thereof pertains will  
9 remain subject to rent regulation or rent control pursuant to an addi-  
10 tional tax exemption or rent stabilization program after the expiration  
11 of the tax benefit period as provided in the opening paragraph of this  
12 paragraph. Neither a landlord nor any person acting on behalf of the  
13 landlord shall include incorrect or misleading information in any notice  
14 provided pursuant to this subparagraph.

15 § 3. This act shall take effect on the sixtieth day after it shall  
16 have become a law and shall apply to all leases entered into, renewed or  
17 extended on and after such effective date. Effective immediately the  
18 addition, amendment and/or repeal of any rule or regulation necessary  
19 for the implementation of this act on its effective date are authorized  
20 to be made and completed on or before such date.