

# STATE OF NEW YORK

3616

2021-2022 Regular Sessions

## IN ASSEMBLY

January 28, 2021

Introduced by M. of A. L. ROSENTHAL, SIMON, DE LA ROSA, JEAN-PIERRE, PICHARDO, J. RIVERA, COLTON, GOTTFRIED, CRUZ, FRONTUS, DARLING -- Multi-Sponsored by -- M. of A. MANKTELOW, McDONOUGH -- 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:

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

3 2-c. (a) For all contracts under this section of one year or longer,  
4 any deposit or advance shall not exceed the amount of one month's rent  
5 under such contract.

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

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

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

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

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

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