

# STATE OF NEW YORK

4587

2021-2022 Regular Sessions

## IN ASSEMBLY

February 4, 2021

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

AN ACT to amend the general obligations law, in relation to excluding certain seasonal use tenancies from the provisions regulating deposits and advances for residential dwelling units

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

1 Section 1. Subdivision 1 of section 7-108 of the general obligations  
2 law, as amended by section 25 of part M of chapter 36 of the laws of  
3 2019, is amended and a new subdivision 4 is added to read as follows:

4 1. This section shall apply to all dwelling units in residential prem-  
5 ises, unless such dwelling unit is specifically referred to in section  
6 7-107 of this title or is expressly excluded by the provisions of this  
7 section.

8 4. The provisions of this section shall not apply to a dwelling unit  
9 in residential premises where the lease expressly provides that the  
10 occupancy of the tenant is for seasonal use of the dwelling unit. For  
11 the purposes of this subdivision, "tenant" shall mean a tenant or  
12 lawful occupant with a seasonal use lease where such tenant has a prima-  
13 ry residence to which to return to. The address of the primary residence  
14 of the residential tenant shall be expressly provided in the seasonal  
15 use lease. For the purposes of this subdivision, a "seasonal use lease"  
16 may not exceed a term of one hundred twenty days.

17 § 2. This act shall take effect immediately.

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

LBD08958-01-1