STATE OF NEW YORK

8871

IN ASSEMBLY

January 19, 2022

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

AN ACT to amend the real property law and the multiple dwelling law, in relation to requiring landlords to replace a lock on a tenant's door when domestic violence is alleged

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

Section 1. The real property law is amended by adding a new section 238-b to read as follows:

§ 238-b. Rights of tenants to a new door lock when domestic violence is alleged. 1. A tenant who has a lock installed and maintained by the landlord in the entrance door of his or her dwelling and is a victim of an alleged domestic violence incident may request such lock be replaced within twenty-four hours of such alleged domestic violence incident. Any such landlord who receives a request pursuant to this subdivision shall comply with the request within twenty-four hours of such alleged domestic violence incident. Proof of an alleged domestic violence incident shall include but not be limited to a police report, a restraining order or any other court document or signed attestation alleging a domestic violence incident involving the tenant.

2. A landlord who violates the provisions of this section shall be subject to a civil penalty in an amount to be as follows:

(a) one hundred dollars for failure to replace such lock within twenty-four hours of the alleged domestic violence incident;

(b) two hundred fifty dollars for failure to replace such lock within forty-eight hours of the alleged domestic violence incident; and

(c) five hundred dollars for each subsequent twenty-four hours after the initial forty-eight hours since the alleged domestic violence incident until such lock is replaced.

§ 2. Section 51-c of the multiple dwelling law, as added by chapter 806 of the laws of 1968, is amended to read as follows:

§ 51-c. Rights of tenants to install and maintain locks in certain entrance doors. **1.** Every tenant of a multiple dwelling, except a tenant of a multiple dwelling under the supervision and control of a municipal

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

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housing authority, occupied by him **or her**, except as a hotel or motel, or college or school dormitory, shall have the right to install and maintain or cause to be installed and maintained in the entrance door of his **or her** particular housing unit in such multiple dwelling, a lock, separate and apart from any lock installed and maintained by the owner of such multiple dwelling, not more than three inches in circumference, as an ordinary incident to his **or her** tenancy, provided that a duplicate key to such lock shall be supplied to the landlord or his **or her** agent upon his **or her** request; and every provision of any lease hereafter made or entered into which reserves or provides for the payment by such tenant of any additional rent, bonus, fee or other charge or any other thing of value for the right or privilege of installing and/or maintaining any such lock, shall be deemed to be void as against public policy and wholly unenforceable.

2. (a) A tenant who has a lock installed and maintained by the owner of a multiple dwelling in the entrance door of his or her particular housing unit in such multiple dwelling, except a tenant of a multiple dwelling under the supervision and control of a municipal housing authority, and is a victim of an alleged domestic violence incident may request such lock be replaced within twenty-four hours of such alleged domestic violence incident. Any such owner of a multiple dwelling who receives a request pursuant to this subdivision shall comply with the request within twenty-four hours of such alleged domestic violence incident. Proof of an alleged domestic violence incident shall include but not be limited to a police report, a restraining order or any other court document or signed attestation alleging a domestic violence incident involving a tenant.

(b) An owner of a multiple dwelling who violates the provisions of this subdivision shall be subject to a civil penalty in an amount to be as follows:

(i) one hundred dollars for failure to replace such lock within twenty-four hours of the alleged domestic violence incident;

(ii) two hundred fifty dollars for failure to replace such lock within forty-eight hours of the alleged domestic violence incident; and

(iii) five hundred dollars for each subsequent twenty-four hours after the initial forty-eight hours since the alleged domestic violence incident until such lock is replaced.

§ 3. This act shall take effect immediately.