STATE OF NEW YORK

3141

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

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

AN ACT to amend the administrative code of the city of New York, the emergency housing rent control law and the emergency tenant protection act of nineteen seventy-four, in relation to prohibiting charges or rent increases for the installation of certain air conditioners and other appliances by tenants

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

Section 1. The administrative code of the city of New York is amended by adding two new sections 26-407.2 and 26-407.3 to read as follows:

§ 26-407.2 Air conditioner charges or rent increases prohibited. Notwithstanding any other provision of law, rule, regulation, charter or administrative code, tenants of housing accommodations which are subject to rent control under this chapter shall not be subject to charges or rent increases for air conditioners acquired and/or installed by the tenant and any such charge or rent increase shall be null and void; provided, however, a landlord may charge a one-time de minimis fee for installation of such appliance performed by him or herself or his or her agent.

§ 26-407.3 Surcharges or rent increases for certain appliances prohibited. Notwithstanding any other provision of law, rule, regulation, charter or administrative code, tenants of housing accommodations which are subject to rent control under this chapter shall not be subject to surcharges or rent increases for washing machines, dryers, and dishwashers acquired and/or installed by the tenant and any such surcharge or rent increase shall be null and void; provided, however, a landlord may charge a one-time de minimis fee for installation of such appliance performed by him or herself or his or her agent.

§ 2. Section 26-510 of the administrative code of the city of New York is amended by adding a new subdivision b-1 to read as follows:

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

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b-1. Notwithstanding any other provision of law, rule, regulation, charter or administrative code, tenants of housing accommodations which are subject to rent stabilization under this chapter shall not be subject to (1) charges or rent increases for air conditioners acquired and/or installed by the tenant or (2) surcharges or rent increases for washing machines, dryers, and dishwashers acquired and/or installed by the tenant, and any such charge, surcharge or rent increase shall be null and void; provided, however, a landlord may charge a one-time de minimis fee for installation of such appliance performed by him or herself or his or her agent.

§ 3. Subdivision 4 of section 4 of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, is amended by adding a new paragraph (f) to read as follows:

(f) Notwithstanding any other provision of law, rule, regulation, charter or administrative code, tenants of housing accommodations which are subject to rent control or rent stabilization under this chapter shall not be subject to (i) charges or rent increases for air conditioners acquired and/or installed by the tenant or (ii) surcharges or rent increases for washing machines, dryers, and dishwashers acquired and/or installed by the tenant, and any such charge, surcharge or rent increase shall be null and void; provided, however, a landlord may charge a one-time de minimis fee for installation of such appliance performed by him or herself or his or her agent.

§ 4. Section 4 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new subdivision b-1 to read as follows:

b-1. Notwithstanding any other provision of law, rule, regulation, charter or administrative code, tenants of housing accommodations which are subject to rent control or rent stabilization under this chapter shall not be subject to (1) charges or rent increases for air conditioners acquired and/or installed by the tenant or (2) surcharges or rent increases for washing machines, dryers, and dishwashers acquired and/or installed by the tenant, and any such charge, surcharge or rent increase shall be null and void; provided, however, a landlord may charge a one-time de minimis fee for installation of such appliance performed by him or herself or his or her agent.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that:

(a) the addition of sections 26-407.2 and 26-407.3 to the city rent and rehabilitation law made by section one of this act shall remain in full force and effect only as long as the public emergency requiring the regulation and control of residential rents and evictions continues, as provided in subdivision 3 of section 1 of the local emergency housing rent control act; and

(b) the amendments to section 26-510 of chapter 4 of title 26 of the administrative code of the city of New York made by section two of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.