

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:

1 Section 1. The real property law is amended by adding a new section
2 238-b to read as follows:

3 § 238-b. Rights of tenants to a new door lock when domestic violence
4 is alleged. 1. A tenant who has a lock installed and maintained by the
5 landlord in the entrance door of his or her dwelling and is a victim of
6 an alleged domestic violence incident may request such lock be replaced
7 within twenty-four hours of such alleged domestic violence incident. Any
8 such landlord who receives a request pursuant to this subdivision shall
9 comply with the request within twenty-four hours of such alleged domes-
10 tic violence incident. Proof of an alleged domestic violence incident
11 shall include but not be limited to a police report, a restraining order
12 or any other court document or signed attestation alleging a domestic
13 violence incident involving the tenant.

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

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

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

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

23 § 2. Section 51-c of the multiple dwelling law, as added by chapter
24 806 of the laws of 1968, is amended to read as follows:

25 § 51-c. Rights of tenants to install and maintain locks in certain
26 entrance doors. 1. Every tenant of a multiple dwelling, except a tenant
27 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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1 housing authority, occupied by him or her, except as a hotel or motel,
2 or college or school dormitory, shall have the right to install and
3 maintain or cause to be installed and maintained in the entrance door of
4 his or her particular housing unit in such multiple dwelling, a lock,
5 separate and apart from any lock installed and maintained by the owner
6 of such multiple dwelling, not more than three inches in circumference,
7 as an ordinary incident to his or her tenancy, provided that a duplicate
8 key to such lock shall be supplied to the landlord or his or her agent
9 upon his or her request; and every provision of any lease hereafter made
10 or entered into which reserves or provides for the payment by such
11 tenant of any additional rent, bonus, fee or other charge or any other
12 thing of value for the right or privilege of installing and/or maintain-
13 ing any such lock, shall be deemed to be void as against public policy
14 and wholly unenforceable.

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

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

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

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

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

38 § 3. This act shall take effect immediately.