STATE OF NEW YORK

9421

IN ASSEMBLY

March 7, 2022

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

AN ACT to amend the real property law, in relation to authorizing actions and proceedings by unit owners against a condominium board of managers for certain violations of law or of resolutions adopted by such board of managers

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

Section 1. Section 339-dd of the real property law, as added by chapter 82 of the laws of 1964, is amended to read as follows:

§ 339-dd. Actions. **1.** Actions may be brought or proceedings instituted by the board of managers in its discretion, on behalf of two or more of the unit owners, as their respective interests may appear, with respect to any cause of action relating to the common elements or more than one unit. Service of process on the unit owners in any action relating to the common elements or more than one unit may be made on the person designated in the declaration to receive service of process.

2. Actions may be brought or proceedings instituted by a unit owner, or multiple unit owners, as their respective interests may appear, against the board of managers for violations of this article, by-laws, rules, regulations, or resolutions adopted by such board of managers for damages or injunctive relief or both. The court may award reasonable attorney's fees for a prevailing unit owner in such action.

§ 2. This act shall take effect immediately.

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

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