

# STATE OF NEW YORK

3332

2023-2024 Regular Sessions

## IN ASSEMBLY

February 2, 2023

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

AN ACT to amend chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, the public housing law and the administrative code of the city of New York, in relation to establishing a database of the complete rental histories of rent stabilized buildings in cities with a population of one million or more

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

1 Section 1. Subdivision g of section 12-a of section 4 of chapter 576  
2 of the laws of 1974, constituting the emergency tenant protection act of  
3 nineteen seventy-four, as added by chapter 403 of the laws of 1983, is  
4 amended to read as follows:

5 g. (1) Within a city having a population of one million or more, each  
6 housing accommodation subject to this act shall be registered with the  
7 state division of housing and community renewal as shall be provided in  
8 the New York city rent stabilization law of nineteen hundred sixty-nine.

9 (2) The state division of housing and community renewal shall, on or  
10 before December thirty-first, two thousand twenty-four, establish and  
11 thereafter maintain on its website a publicly accessible database  
12 containing the complete rental history of each housing accommodation  
13 registered with the state division of housing and community renewal  
14 pursuant to paragraph one of this subdivision, as provided in subdivi-  
15 sion three of section twenty of the public housing law and subdivision h  
16 of section 26-517 of the administrative code of the city of New York,  
17 provided, however, that such database shall not contain information  
18 relative to a tenant, owner, lessor or subtenant nor shall any such  
19 information be made available or accessible to the public through such  
20 database. The commissioner of the state division of housing and communi-  
21 ty renewal shall promulgate such rules and regulations as such commis-

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

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1 sioner deems necessary to implement the provisions of this paragraph,  
2 provided, however, that no such rules or regulations shall be adopted  
3 unless one or more public hearings shall have been held prior to the  
4 adoption thereof.

5 § 2. Section 20 of the public housing law is amended by adding a new  
6 subdivision 3 to read as follows:

7 3. The division shall, on or before December thirty-first, two thou-  
8 sand twenty-four, establish and thereafter maintain on the division's  
9 website a publicly accessible database containing the complete rental  
10 history of each housing accommodation registered with the division with-  
11 in a city having a population of one million or more as provided in  
12 paragraph two of subdivision g of section twelve-a of section four of  
13 chapter five hundred seventy-six of the laws of nineteen seventy-four  
14 and subdivision h of section 26-517 of the administrative code of the  
15 city of New York, provided, however, that such database shall not  
16 contain information relative to a tenant, owner, lessor or subtenant nor  
17 shall any such information be made available or accessible to the public  
18 through such database. The commissioner shall promulgate such rules and  
19 regulations as such commissioner deems necessary to implement the  
20 provisions of this subdivision, provided, however, that no such rules or  
21 regulations shall be adopted unless one or more public hearings shall  
22 have been held prior to the adoption thereof.

23 § 3. Section 26-517 of the administrative code of the city of New York  
24 is amended by adding a new subdivision h to read as follows:

25 h. The state division of housing and community renewal shall, on or  
26 before December thirty-first, two thousand twenty-four, establish and  
27 thereafter maintain on its website a publicly accessible database  
28 containing the complete rental history of each housing accommodation  
29 registered with the state division of housing and community renewal  
30 pursuant to paragraph one of this subdivision, as provided in subdivi-  
31 sion three of section twenty of the public housing law and paragraph two  
32 of subdivision g of section twelve-a of section four of chapter five  
33 hundred seventy-six of the laws of nineteen seventy-four, provided,  
34 however, that such database shall not contain information relative to a  
35 tenant, owner, lessor or subtenant nor shall any such information be  
36 made available or accessible to the public through such database. The  
37 commissioner of the state division of housing and community renewal  
38 shall promulgate such rules and regulations as such commissioner deems  
39 necessary to implement the provisions of this paragraph, provided,  
40 however, that no such rules or regulations shall be adopted unless one  
41 or more public hearings shall have been held prior to the adoption ther-  
42 eof.

43 § 4. Subdivision g of section 26-516 of the administrative code of the  
44 city of New York, as amended by section 5 of part F of chapter 36 of the  
45 laws of 2019, is amended to read as follows:

46 g. Except where a specific provision of this law requires the mainte-  
47 nance of rent records for a longer period, including records of the  
48 useful life of improvements made to any housing accommodation or any  
49 building, any owner who has duly registered a housing accommodation  
50 pursuant to section 26-517 of this chapter shall not be required to  
51 maintain or produce any records relating to rentals of such accommo-  
52 dation for more than six years prior to the most recent registration or  
53 annual statement for such accommodation. However, an owner's election  
54 not to maintain records shall not limit the authority of the division of  
55 housing and community renewal and the courts to examine the rental  
56 history and determine legal regulated rents pursuant to this section.

1 Nothing in this subdivision shall limit the authority of the division of  
2 housing and community renewal to maintain the database of complete  
3 rental histories established pursuant to subdivision h of section 26-517  
4 of this chapter.

5 § 5. This act shall take effect immediately; provided that the amend-  
6 ments to chapter 4 of title 26 of the administrative code of the city of  
7 New York made by sections three and four of this act shall expire on the  
8 same date as such law expires and shall not affect the expiration of  
9 such law as provided under section 26-520 of such law.