STATE OF NEW YORK

393

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in relation to increasing the maximum civil penalty

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

Section 1. Paragraph (a) of subdivision 8 of section 1308 of the real property actions and proceedings law, as added by section 1 of part Q of chapter 73 of the laws of 2016, is amended to read as follows:

(a) Violations of this section may be heard before a hearing officer or a court of competent jurisdiction. If it shall appear to the satisfaction of the hearing officer or the court, based on the preponderance of the evidence, that the mortgagee or agent of a mortgagee has violated this section, a civil penalty may be issued by the hearing officer or the court in the amount of up to [~~five hundred~~] **one thousand** dollars per day per property for each day the violation persisted.

§ 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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