STATE OF NEW YORK

5704

2023-2024 Regular Sessions

IN ASSEMBLY

March 22, 2023

Introduced by M. of A. BARRETT, THIELE, KELLES, NORRIS, WOERNER, RIVERA, WALLACE, BRABENEC, SMITH, J. A. GIGLIO, EPSTEIN, MEEKS, GANDOLFO -- read once and referred to the Committee on Housing

AN ACT to amend the real property law, in relation to increases of rent in manufactured home parks

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

Section 1. Section 233-b of the real property law, as added by section 12 of part O of chapter 36 of the laws of 2019, is amended by adding two new subdivisions 9 and 10 to read as follows:

9. When a manufactured home park owner notifies the manufactured homeowners in the park of a rent or fee increase and the increase is in excess of three percent above the current rent, the manufactured home park owner shall provide a written justification for the increase that complies with this section and make available to any resident, by request, documentation that show the costs and commencement of work that justify the rent increase pursuant to this section, as applicable.

10. In order for an increase in costs to justify a rent increase above three percent pursuant to paragraph (a) or (c) of subdivision two of this section for costs incurred for ordinary maintenance, including preventive maintenance, or repair of the roads, infrastructure, or other community property or services, the community owner must demonstrate that the work performed was necessary to meet the community owner's warranty of habitability obligations under subdivision m of section two hundred thirty-three of this article, and demonstrate that the rent increase imposed was no more than was necessary to cover the actual and reasonable cost of the work performed.

§ 2 Section 233-b of the real property law, as added by chapter 654 of the laws of 2019, is renumbered section 233-c.

§ 3. 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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