

STATE OF NEW YORK

6843

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, in relation to studies to determine vacancy rates

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

1 Section 1. Section 3 of section 4 of chapter 576 of the laws of 1974,
2 constituting the emergency tenant protection act of nineteen seventy-
3 four, is amended by adding four new subdivisions d, e, f, and g to read
4 as follows:

5 d. When requested by a municipality or a designee, as a part of a
6 study to determine its vacancy rate, residential residents, including
7 residential tenants, residential rental property owners, operators, or
8 managers, and homeowners shall provide current rent rolls of records
9 and, if available, records for the past three years. Such records shall
10 include the tenant's relevant information relating to finding the vacan-
11 cy rate of such municipality including but not limited to the name,
12 address, and amount paid or charged on a weekly, monthly, or annual
13 basis for each unit or home and which units are currently vacant and
14 move in ready or under construction.

15 e. Refusal by a residential rental property owner, operator, or manag-
16 er or a homeowner to participate in such vacancy study and cooperate
17 with the municipality or a designee in such vacancy study, or submission
18 of knowingly and intentionally false vacancy information may be deemed
19 cause to deny a rental permit or certificate of occupancy for a rental
20 unit. Such municipality may additionally impose a fine or fee on such
21 residential rental property owner, operator, or manager or homeowner of
22 up to one thousand dollars.

23 f. A nonrespondent landlord or rental property owner shall be deemed
24 to have a zero vacancy rate.

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

LBD05739-01-3

1 g. Identifying data or information shall be kept confidential and
2 shall not be shared, traded, given, or sold to any other entity for any
3 purpose outside of such vacancy study. Disaggregate data and information
4 may be shared with other governmental agencies including but not limited
5 to the Office of Court Administration.

6 § 2. This act shall take effect immediately.