

# STATE OF NEW YORK

7057--A

2023-2024 Regular Sessions

## IN ASSEMBLY

May 10, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to enacting the "tenants organizing act"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "tenants organizing act".

3 § 2. Section 230 of the real property law, as added by chapter 809 of  
4 the laws of 1975 and subdivision 2 as amended by chapter 90 of the laws  
5 of 1995, is amended to read as follows:

6 § 230. Right of tenants to form, join or participate in tenants'  
7 groups. 1. For the purposes of this section, the term "tenants' organ-  
8 ization" means a bona fide organization of tenants who represent the  
9 occupied rental units in a rental housing property with five units or  
10 more, or a bona fide organization working to achieve such status.  
11 Tenants' organizations may engage in the following activities, including  
12 but not limited to: (a) initiating contact with tenants, including by  
13 conducting door-to-door surveys, to ascertain interest in or seek  
14 support for forming a tenant organization; (b) joining or supporting  
15 another tenant organization; (c) distributing literature; (d) requesting  
16 or providing information; (e) offering assistance; (f) convening meet-  
17 ings, which may occur without a landlord or landlord representative  
18 present; or (g) otherwise acting on behalf of one or more tenants in the  
19 building regarding issues of common interest or concern.

20 2. No landlord shall interfere with the right of a tenant to form,  
21 join or participate in the lawful activities of any group, committee or  
22 other organization formed to protect the rights of tenants; nor shall  
23 any landlord harass, punish, penalize, diminish, or withhold any right,

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

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1 benefit or privilege of a tenant under [~~his~~] their tenancy for exercis-  
2 ing such right.

3 [~~2-~~] 3. Tenants' groups, committees or other tenants' organizations  
4 shall have the right to meet without being required to pay a fee in any  
5 location on the premises including a community or social room where use  
6 is normally subject to a fee which is devoted to the common use of all  
7 tenants in a peaceful manner, at reasonable hours and without obstruct-  
8 ing access to the premises or facilities. No landlord shall deny such  
9 right.

10 4. Tenants' groups, committees or other tenants' organizations shall  
11 have the right to invite outside guests or visitors, including but not  
12 limited to elected officials, service providers, and housing lawyers, to  
13 their regular meetings without being required to pay a fee in any  
14 location on the premises including a community or social room where use  
15 is normally subject to a fee which is devoted to the common use of all  
16 tenants in a peaceful manner, at reasonable hours and without obstruct-  
17 ing access to the premises or facilities. No landlord shall deny such  
18 right.

19 5. No landlord or an agent of a landlord shall prohibit or interfere  
20 with a tenant of a rental unit in a building, or a guest invited by a  
21 tenant, from engaging in lawful organizing activities.

22 6. Tenants in a building may establish a bona fide tenants' organiza-  
23 tion pursuant to this section by providing their landlord with a peti-  
24 tion signed by tenants representing occupied units within a building or  
25 property certifying that such tenants desire to form a tenants' organ-  
26 ization. A copy of such petition may also be filed with the clerk of the  
27 governing municipality.

28 7. Landlords and tenants' organizations shall confer with each other  
29 in good faith regarding housing conditions, community life, landlord-  
30 tenant relations, and other issues of common interest or concern. Exam-  
31 ples of conferring in good faith may include maintaining a designated  
32 point of contact, engaging in regular communications, responding to  
33 reasonable requests for information, allowing participation by non-resi-  
34 dent advocates, and negotiating and putting agreements into writing. In  
35 addition, a landlord shall, on written request of a tenants' organiza-  
36 tion, attend either themselves or through their representative at least  
37 one tenants' organization meeting every six months, although more  
38 frequent attendance at the request of the tenants' organization shall be  
39 permitted. Such meetings shall occur at a mutually convenient time and  
40 place. To request that a landlord or their representative attend a meet-  
41 ing, the tenants' organization shall send the landlord a written request  
42 at least fourteen days in advance. Alternatively, if a tenants' organ-  
43 ization meets at a regularly scheduled time and place, then such  
44 tenants' organization may send the landlord a single standing request to  
45 attend meetings for the duration of the calendar year.

46 § 3. This act shall take effect immediately.