

STATE OF NEW YORK

6348--B

2023-2024 Regular Sessions

IN SENATE

April 17, 2023

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

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

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1 any landlord harass, punish, penalize, diminish, or withhold any right,
2 benefit or privilege of a tenant under [~~his~~] their tenancy for exercis-
3 ing such right.

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

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

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

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

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

47 § 3. This act shall take effect immediately.