

STATE OF NEW YORK

245--A

2023-2024 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2023

Introduced by M. of A. L. ROSENTHAL, SIMONE -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property tax law, in relation to prohibiting landlords from including incorrect information relating to rent decontrol in certain leases and renewals thereof and requires the standardization of certain notices pertaining to units subject to the Affordable New York Housing Program

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

1 Section 1. Subparagraph (ii) of paragraph (f) of subdivision 2 of
2 section 421-a of the real property tax law, as amended by chapter 289 of
3 the laws of 1985, is amended to read as follows:
4 (ii) with respect to units which become subject to the provisions of
5 this section after the effective date of this subparagraph, such tax
6 benefit period as provided in the opening paragraph of this paragraph or
7 applicable law or act shall have expired and either each lease and
8 renewal thereof for such unit for the tenant in residence at the time of
9 such decontrol has included a notice in at least twelve point type
10 informing such tenant that the unit shall become subject to such decon-
11 trol upon the expiration of such tax benefit period as provided in the
12 opening paragraph of this paragraph or applicable law or act and states
13 the approximate date on which such tax benefit period as provided in the
14 opening paragraph of this paragraph is scheduled to expire; or such unit
15 becomes vacant as provided under subparagraph (i) of this paragraph.
16 Neither a landlord nor any person acting on behalf of the landlord shall
17 include incorrect or misleading information in any notice provided
18 pursuant to this subparagraph. A landlord or any person acting on

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

LBD00673-02-4

1 behalf of the landlord who willfully includes information they know or
2 reasonably know to be misleading or incorrect information in any notice
3 provided pursuant to this subparagraph or fails to provide the standard-
4 ized rider pursuant to paragraph (f-1) of this subdivision is guilty of
5 a violation punishable by a fine of one thousand dollars.

6 § 2. Subdivision 2 of section 421-a of the real property tax law is
7 amended by adding a new paragraph (f-1) to read as follows:

8 (f-1) The commissioner of housing and community renewal shall stand-
9 ardize the notice to be provided by landlords to their tenants pursuant
10 to subparagraph (ii) of paragraph (f) of this subdivision. Such notice
11 shall be printed in at least twelve point type and shall include but not
12 be limited to the following language:

13 421-a Standard Rider Fact Sheet

14 Any dwelling unit within an eligible site that receives tax benefits
15 under section 421-a of the New York State Real Property Tax Law will
16 remain rent stabilized for a period of time depending on a variety of
17 factors, including the location of the unit, the commencement of
18 construction and the affordability in the project. Failure to provide
19 the initial standardized rider may result in the unit remaining rent
20 stabilized for the duration of the tenancy. Specific details related to
21 your unit are listed on the next sheet. While your unit receives 421-a
22 tax benefits, it will be subject to rent stabilization. New York State's
23 rent regulation laws provide tenants in rent-stabilized apartments with
24 a variety of legal rights and protections. The owner of your building
25 must provide you with a rent-stabilized lease when you first move in and
26 also each time you renew your lease for your choice of either a one or
27 two year term, for as long as your apartment remains stabilized.

28 You are entitled to continuous lease renewals while your apartment is
29 rent stabilized. When you renew your lease, your rent may only be
30 increased by an amount determined by New York State's rent regulation
31 laws, which may be found by visiting (enter web address), and permitted
32 by applicable tax benefit laws.

33 Rent increases for rent-stabilized tenants are determined by the New
34 York City Rent Guidelines Board, and generally, may only increase by a
35 specified amount within a one-year or two-year lease term. For more
36 information, please visit (enter web address) or call (enter number).
37 Rent-stabilized tenants are also entitled to assistance by the New York
38 State Homes and Community Renewal by visiting (enter web address) or
39 calling (enter number).

40 421-a Rider - Unit Number

41 As a rent-regulated tenant, your rights are, in part, determined by
42 421-a of the New York State Real Property Tax Law. For more information,
43 you may contact New York State Housing and Community Renewal by calling
44 (enter number) or visiting (enter web address) or the New York City
45 Department of Housing Preservation and Development by calling (enter
46 number) or visiting (enter web address).

47 The first rent as of (date of initial lease commencement) for (unit
48 apartment number) is (amount).

49 Because (unit number) receives a 421-a tax abatement, it will be rent
50 regulated until at least MM/DD/YYYY.

51 Construction commenced on your building, located at (address) on
52 MM/DD/YYYY.

53 Construction was completed on MM/DD/YYYY.

54 On (MM/DD/YYYY specific to tenant), your landlord can begin to increase
55 the rent for unit number by 2.2% each year.

1 The 421-a benefits for (unit number) expire on (MM/DD/YYYY). After the
2 expiration of the 421-a tax abatement, your unit will (either remain
3 rent-stabilized for the duration of your tenancy or continue to be
4 protected due to additional programs outlined below).

5 (Unit number) also receives (list any other city, state, federal
6 affordability program) and (the impact that has on the unit's continuing
7 affordability, the date on which those benefits expire and the impact of
8 the expiration of those benefits on the unit).

9 If you believe that any of the information contained in this rider is
10 incorrect, contact New York State Homes and Community Renewal by calling
11 (enter number) or visiting (enter web address) or the New York City
12 Department of Housing Preservation and Development by calling (enter
13 number) or visiting (enter web address).

14 § 3. This act shall take effect on the sixtieth day after it shall
15 have become a law and shall apply to all leases entered into, renewed or
16 extended on and after such effective date. Effective immediately the
17 addition, amendment and/or repeal of any rule or regulation necessary
18 for the implementation of this act on its effective date are authorized
19 to be made and completed on or before such date.