

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:

1 Section 1. Section 233-b of the real property law, as added by section
2 12 of part 0 of chapter 36 of the laws of 2019, is amended by adding two
3 new subdivisions 9 and 10 to read as follows:

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

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

21 § 2 Section 233-b of the real property law, as added by chapter 654 of
22 the laws of 2019, is renumbered section 233-c.

23 § 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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