STATE OF NEW YORK

7057

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

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

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:

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

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

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

2. No landlord shall interfere with the right of a tenant to form, join or participate in the lawful activities of any group, committee or other organization formed to protect the rights of tenants; nor shall any landlord harass, punish, penalize, diminish, or withhold any right, benefit or privilege of a tenant under his **or her** tenancy for exercising such right.

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

LBD10771-07-3

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

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

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

6. Tenants in a building may establish a bona fide tenants' organization pursuant to this section by providing their landlord with a petition signed by tenants representing fifty percent of the occupied units within a building or property certifying that such tenants desire to form a tenants' organization. A copy of such petition may also be filed with the clerk of the governing municipality.

7. Landlords and tenants' organizations shall confer with each other in good faith regarding housing conditions, community life, landlord-tenant relations, and other issues of common interest or concern. Examples of conferring in good faith may include maintaining a designated point of contact, engaging in regular communications, responding to reasonable requests for information, allowing participation by non-resident advocates, and negotiating and putting agreements into writing. In addition, a landlord shall, on written request of a tenants' organization, attend either themselves or through their representative at least one tenants' organization meeting every six months, although more frequent attendance at the request of the tenants' organization shall be permitted. Such meetings shall occur at a mutually convenient time and place. To request that a landlord or their representative attend a meeting, the tenants' organization shall send the landlord a written request at least fourteen days in advance. Alternatively, if a tenants' organization meets at a regularly scheduled time and place, then such tenants' organization may send the landlord a single standing request to attend meetings for the duration of the calendar year.

§ 3. This act shall take effect immediately.