STATE OF NEW YORK

8967--A

IN ASSEMBLY

January 31, 2024

Introduced by M. of A. L. ROSENTHAL -- 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 prohibiting residential landlords from charging tenants with fees for the payment of rent through an automated clearing house or online payment system

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

Section 1. Section 235-g of the real property law, as added by chapter 367 of the laws of 2010, is amended to read as follows:

§ 235-g. Electronic billing and/or payment of rent. 1. A landlord shall not require a lessee or tenant to use an electronic billing and/or payment system as the only method for the payment of rent. A landlord shall not assess any fee or other charge for a lessee or tenant that chooses not to use an electronic billing and/or payment system.

2. **A landlord shall not assess any fee or other charge for the use of an automated clearing house payment for the payment of rent.**

3. A landlord shall provide a lessee or tenant a method for the payment of rent that does not incur a fee or other charge assessed by the landlord. This method may include but is not limited to cash or personal check of the lessee or tenant.

4. Any agreement by a lessee or tenant of a dwelling waiving or modifying [~~his or her~~] **their** rights as set forth in this section shall be void as contrary to public policy.

§ 2. 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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