

STATE OF NEW YORK

1610--A

Cal. No. 423

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sens. HOYLMAN-SIGAL, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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

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

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

15 421-a Standard Rider Fact Sheet

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

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

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

42 421-a Rider - Unit Number

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

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

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

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

55 Construction was completed on MM/DD/YYYY.

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

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

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

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

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