STATE OF NEW YORK

1865--B

Cal. No. 70

2025-2026 Regular Sessions

IN ASSEMBLY

January 14, 2025

Introduced by M. of A. ROSENTHAL, BURDICK, SEAWRIGHT, LUCAS, LEVENBERG -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the real property law, in relation to the installation of appliances or fixtures by tenants

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

Section 1. The real property law is amended by adding a new section 226-aa to read as follows:

§ 226-aa. Installation of appliances or fixtures by tenant. 1. No landlord shall restrict the installation of appliances or fixtures by a residential tenant, so long as the appliances or fixtures are in compliance with applicable building codes or other provisions of law and further provided the residential tenant has sought in writing and obtained written consent from the landlord for such installation. The landlord shall respond in writing to a residential tenant's request for such residential tenant to install appliances or fixtures within thirty days of such request. Any denial of a residential tenant's request to install appliances or fixtures shall include the specific reason for such denial.

2. Nothing in this section shall require a landlord to alter the unit's utilities or fundamentally alter the nature of the unit for the installation of any appliances or fixtures by the residential tenant. Nothing in this section shall require the landlord to be responsible for the installation of any appliances or fixtures that the residential tenant has sought and obtained written consent from the landlord to install.

3. The imposition of any surcharge for the installation or use of a residential tenant-installed appliance or fixture is prohibited where

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

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the residential tenant pays for the applicable utility service directly to the provider.

4.(a) At the termination of residential tenancy, the residential tenant shall be responsible for either (i) restoring the installed appliances or fixtures of the unit to the condition which existed prior to the installation or (ii) ensuring the residential tenant-installed appliances or fixtures remain in the unit at no cost to the landlord.

(b) Such residential tenant shall notify the landlord in writing of the residential tenant's plan for the storage of the original appliance or fixture for the duration of their tenancy. A landlord may instead opt to store the removed appliance or fixture themselves, at no cost to the residential tenant.

5. For the purposes of this section, "appliances or fixtures" shall mean any refrigerator, freezer, range including any cooktop or oven, built-in microwave oven, sink, faucet, or showerhead.

§ 2. This act shall take effect immediately.