

STATE OF NEW YORK

7705

2025-2026 Regular Sessions

IN ASSEMBLY

April 8, 2025

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

AN ACT to amend the emergency housing rent control law, the local emergency housing rent control act, the emergency tenant protection act of nineteen seventy-four and the administrative code of the city of New York, in relation to the de-regulation of rent-stabilized housing accommodations upon vacancy

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

1 Section 1. Paragraph (i) of subdivision 2 of section 2 of chapter 274
2 of the laws of 1946, constituting the emergency housing rent control
3 law, as amended by chapter 576 of the laws of 1974, is amended to read
4 as follows:

5 (i) housing accommodations which become vacant on and after June
6 sixteenth, two thousand twenty-six, provided, however, that this
7 exemption shall not apply or become effective where the commission
8 determines or finds that the housing accommodations became vacant
9 because the landlord or any person acting on [~~his~~] such landlord's
10 behalf, with intent to cause the tenant to vacate, engaged in any course
11 of conduct (including, but not limited to, interruption or discontin-
12 uance of essential services) which interfered with or disturbed or was
13 intended to interfere with or disturb the comfort, repose, peace or
14 quiet of the tenant in [~~his~~] such tenant's use or occupancy of the hous-
15 ing accommodations; [~~and further provided that housing accommodations as~~
16 ~~to which a housing emergency has been declared pursuant to the emergency~~
17 ~~tenant protection act of nineteen seventy-four shall be subject to the~~
18 ~~provisions of such act for the duration of such emergency;~~] or

19 § 2. The second undesignated paragraph of subdivision 5 of section 1
20 of chapter 21 of the laws of 1962, constituting the local emergency
21 housing rent control act, as amended by chapter 82 of the laws of 2003,
22 is amended to read as follows:

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

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1 Notwithstanding any local law or ordinance, housing accommodations
2 which [~~became~~] become vacant (a) on or after July first, nineteen
3 hundred seventy-one [~~or which hereafter become vacant~~], but before June
4 sixteenth, two thousand twenty-six shall be subject to the provisions of
5 the emergency tenant protection act of nineteen seventy-four, and (b) on
6 or after June sixteenth, two thousand twenty-six shall be exempt from
7 regulations and control; provided, however, that [~~this provision~~] these
8 exemptions shall not apply or become effective with respect to housing
9 accommodations which, by local law or ordinance, are made directly
10 subject to regulation and control by a city housing rent agency and such
11 agency determines or finds that the housing accommodations became vacant
12 because the landlord or any person acting on [~~his~~] such landlord's
13 behalf, with intent to cause the tenant to vacate, engaged in any course
14 of conduct (including but not limited to, interruption or discontinuance
15 of essential services) which interfered with or disturbed or was
16 intended to interfere with or disturb the comfort, repose, peace or
17 quiet of the tenant in [~~his~~] such tenant's use or occupancy of the hous-
18 ing accommodations. The removal of any housing accommodation from regu-
19 lation and control of rents pursuant to the vacancy [~~exemption~~]
20 exemptions provided for in this paragraph shall not constitute or oper-
21 ate as a ground for the subjection to more stringent regulation and
22 control of any housing accommodation in such property or in any other
23 property owned by the same landlord, notwithstanding any prior agreement
24 to the contrary by the landlord. The vacancy exemption provided for in
25 subparagraph (a) of this paragraph shall not arise with respect to any
26 rented plot or parcel of land otherwise subject to the provisions of
27 this act, by reason of a transfer of title and possession occurring on
28 or after July first, nineteen hundred seventy-one, but before June
29 sixteenth, two thousand twenty-six, of a dwelling located on such plot
30 or parcel and owned by the tenant where such transfer of title and
31 possession is made to a member of the tenant's immediate family provided
32 that the member of the tenant's immediate family occupies the dwelling
33 with the tenant prior to the transfer of title and possession for a
34 continuous period of two years.

35 § 3. Subdivision a of section 5 of section 4 of chapter 576 of the
36 laws of 1974, constituting the emergency tenant protection act of nine-
37 teen seventy-four, is amended by adding a new paragraph 3-a to read as
38 follows:

39 (3-a) housing accommodations which become vacant on or after June
40 sixteenth, two thousand twenty-six, provided, however, that this
41 exemption shall not apply to or become effective with respect to housing
42 accommodations which the commissioner determines or finds became vacant
43 because the landlord or any person acting on such landlord's behalf,
44 with intent to cause the tenant to vacate, engaged in any course of
45 conduct (including, but not limited to, interruption or discontinuance
46 of required services) which interfered with or disturbed or was intended
47 to interfere in such tenant's use or occupancy of the housing accommo-
48 dations;

49 § 4. Section 26-504 of the administrative code of the city of New York
50 is amended by adding a new subdivision d to read as follows:

51 d. Notwithstanding any of the provisions of this section or title or
52 any other provisions of law, this law shall not apply to any housing
53 accommodation which becomes vacant on or after June sixteenth, two thou-
54 sand twenty-six provided, however, that this exemption shall not apply
55 to or become effective with respect to housing accommodations which the
56 commissioner determines or finds became vacant because the landlord or

1 any person acting on such landlord's behalf, with intent to cause the
2 tenant to vacate, engaged in any course of conduct (including but not
3 limited to, interruption or discontinuance of required services) which
4 interfered with or disturbed or was intended to interfere with or
5 disturb the comfort, repose, peace or quiet of the tenant in such
6 tenant's use or occupancy of the housing accommodations.

7 § 5. This act shall take effect immediately; provided, however, that
8 the amendments to the local emergency housing rent control act, made by
9 section two of this act, shall remain in full force and effect only so
10 long as the public emergency requiring the regulation and control of
11 residential rents and evictions continues, as provided in section 1 of
12 chapter 21 of the laws of 1962, as amended; and provided further that
13 the amendments to the rent stabilization law of nineteen hundred sixty-
14 nine, made by section four of this act, shall expire on the same date as
15 such law expires and shall not affect the expiration of such law as
16 provided under section 26-520 of the administrative code of the city of
17 New York.