

# STATE OF NEW YORK

9019

2025-2026 Regular Sessions

## IN ASSEMBLY

September 5, 2025

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

AN ACT to amend the emergency tenant protection act of nineteen seven-  
ty-four, and the real property law, in relation to establishing an  
annual income eligibility limit for certain elected officials residing  
in rent stabilized housing

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

1 Section 1. Section 4 of chapter 576 of the laws of 1974, constituting  
2 the emergency tenant protection act of nineteen seventy-four is amended  
3 by adding a new section 5-a to read as follows:

4 § 5-a. Income eligibility for certain public officers. a. For the  
5 purposes of this section, the following terms shall have the following  
6 meanings:

7 (1) "Annual gross income" shall mean the total income from all sourc-  
8 es, before taxes of all occupants eighteen years of age or older who use  
9 the housing accommodation as their primary residence.

10 (2) "Commissioner" shall mean the commissioner of the division of  
11 housing and community renewal and any successor thereto.

12 (3) "Division" shall mean the division of housing and community  
13 renewal and any successor thereto.

14 b. Notwithstanding any other provision of law, no housing accommo-  
15 dation subject to this law shall be offered or continued as a tenancy to  
16 any person serving as the mayor of the city of New York if the combined  
17 annual gross income of all persons residing in such accommodation is two  
18 hundred fifty-eight thousand dollars or more, as verified pursuant to  
19 subdivision c of this section.

20 c. The owner shall require, and the tenant shall provide, annual  
21 income certification to the division in such form and manner as the  
22 commissioner shall prescribe. The division shall promulgate rules to

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

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1 verify reported income, including, but not limited to cross-referencing  
2 state tax records.

3 d. Any person who knowingly makes a false statement in an income  
4 certification under this section shall be subject to a civil penalty of  
5 not more than ten thousand dollars, in addition to any other penalties  
6 provided by law.

7 § 2. The real property law is amended by adding a new section 235-k to  
8 read as follows:

9 § 235-k. Lease terminations for ineligible tenants in rent stabilized  
10 housing. 1. A landlord may commence a special proceeding pursuant to  
11 article seven of the real property actions and proceedings law to  
12 recover possession of a housing accommodation subject to rent stabiliza-  
13 tion where the household income exceeds the limit set forth in section  
14 five-a of section four of chapter five hundred seventy-six of the laws  
15 of nineteen seventy-four constituting the emergency tenant protection  
16 act of nineteen seventy-four.

17 2. Proceedings under this section shall be given preference in the  
18 scheduling of the court.

19 § 3. This act shall take effect on the first of January next succeed-  
20 ing the date on which it shall have become a law, provided, however,  
21 that the division of housing and community renewal shall promulgate  
22 rules and regulations necessary to implement this act no later than  
23 ninety days after it shall have become a law.