

# STATE OF NEW YORK

10229

## IN SENATE

May 7, 2026

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the real property actions and proceedings law, in relation to establishing a process for when a tenant dies and leaves an apartment unoccupied

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

1 Section 1. Section 711 of the real property actions and proceedings  
2 law is amended by adding a new subdivision 7 to read as follows:

3 7. (a) Where the tenant has died and the apartment is unoccupied, no  
4 representative or person has taken possession of the premises, no admin-  
5 istrator or executor has been appointed, and more than sixty days have  
6 elapsed since the date of death, a summary proceeding under this article  
7 may be commenced against the public administrator seeking a possessory  
8 judgment.

9 (b) Should a tenant or occupant of the apartment appear in the  
10 proceeding, the proceeding will be dismissed. Entry of any judgment  
11 against the public administrator shall be without prejudice to the  
12 possessory claims of an occupant, and any warrant issued shall not be  
13 effective as against an occupant.

14 § 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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