STATE OF NEW YORK

2283

2025-2026 Regular Sessions

IN SENATE

January 16, 2025

Introduced by Sen. GONZALEZ -- 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 administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to surcharges assessed for the late filing of rent registration statements

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

Section 1. Subdivision e of section 26-517 of the administrative code of the city of New York, as amended by section 1 of part C of chapter 760 of the laws of 2023, is amended to read as follows:

e. The failure to file a proper and timely initial or annual rent registration statement shall, until such time as such registration is filed, bar an owner from applying for or collecting any rent in excess of the legal regulated rent in effect on the date of the last preceding registration statement or if no such statements have been filed, the legal regulated rent in effect on the date that the housing accommodation became subject to the registration requirements of this section. The filing of a late registration shall result in the prospective elimination of such sanctions and provided that increases in the legal regulated rent were lawful except for the failure to file a timely registration, the owner, upon the service and filing of a late registration, shall not be found to have collected an overcharge at any time prior to the filing of the late registration. In addition to all other requirements set forth in this subdivision, in the event a timely rent registration is not filed and after notice of such delinquency is provided by the state division of housing and community renewal to the owner in the form of electronic mail and mail to the address listed in the owner's most recent registration statement, the owner shall be subject to a fine of [~~five hundred~~] **one thousand** dollars per unregistered unit for each

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

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month the registration is delinquent. Such a fine shall be imposed by order, and such order imposing a fine shall be deemed a final determination for the purposes of judicial review. Such fine may, upon the expiration of the period for seeking review pursuant to article seventy-eight of the civil practice law and rules, be docketed and enforced in the manner of a judgment of the supreme court by the state division of housing and community renewal.

§ 2. Subdivision e of section 12-a of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as amended by section 2 of part C of chapter 760 of the laws of 2023, is amended to read as follows:

e. The failure to file a proper and timely initial or annual rent registration statement shall, until such time as such registration is filed, bar an owner from applying for or collecting any rent in excess of the legal regulated rent in effect on the date of the last preceding registration statement or if no such statements have been filed, the legal regulated rent in effect on the date that the housing accommodation became subject to the registration requirements of this section. The filing of a late registration shall result in the prospective elimination of such sanctions and provided that increases in the legal regulated rent were lawful except for the failure to file a timely registration, the owner, upon the service and filing of a late registration, shall not be found to have collected an overcharge at any time prior to the filing of the late registration. In addition to all other requirements set forth in this subdivision, in the event a timely rent registration is not filed and after notice of such delinquency is provided by the division of housing and community renewal to the owner in the form of electronic mail and mail to the address listed in the owner's most recent registration statement, the owner shall be subject to a fine of [~~five hundred~~] **one thousand** dollars per unregistered unit for each month the registration is delinquent. Such a fine shall be imposed by order, and such order imposing a fine shall be deemed a final determination for the purposes of judicial review. Such fine may, upon the expiration of the period for seeking review pursuant to article seventy-eight of the civil practice law and rules, be docketed and enforced in the manner of a judgment of the supreme court by the division of housing and community renewal.

§ 3. This act shall take effect immediately; provided that the amendments to section 26-517 of chapter 4 of title 26 of the administrative code of the city of New York made by section one of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.