

STATE OF NEW YORK

3199

2025-2026 Regular Sessions

IN SENATE

January 24, 2025

Introduced by Sens. HOYLMAN-SIGAL, BAILEY, JACKSON, KRUEGER, SEPULVEDA, SERRANO -- 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, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to requiring property owners to dedicate certain residential units to the same protected status the unit previously held following demolition and new construction or substantial renovation

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

1 Section 1. Section 26-512 of the administrative code of the city of
2 New York is amended by adding a new subdivision h to read as follows:

3 h. Notwithstanding any provision of law, rule or regulation to the
4 contrary, if all or a portion of the rent controlled or rent stabilized
5 housing accommodation protected by the emergency tenant protection act
6 of nineteen seventy-four, the emergency housing rent control law, the
7 local emergency housing rent control act, the administrative code of
8 the city of New York and any regulations, rules and policies enacted
9 pursuant thereto, in a residential building are rendered uninhabitable
10 or are vacated due to demolition and new construction or to substantial
11 renovation conducted by or on behalf of the property owner under any of
12 the following circumstances, the property owner shall, upon completion
13 of the new construction or renovation of the building, dedicate an equal
14 number of units, of sizes equivalent to those vacated or rendered
15 uninhabitable, at the rent amount allowable for the units existing
16 prior to the demolition or renovation to the same status the unit
17 previously held as rent controlled or rent stabilized housing accommo-
18 dation protected by the emergency tenant protection act of nineteen
19 seventy-four, the emergency housing rent control law, the local emer-

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

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1 gency housing rent control act, the administrative code of the city
2 of New York and any regulations, rules and policies enacted pursuant
3 thereto. The tenant or tenants in possession immediately prior to such
4 demolition or substantial renovation shall have the right of first
5 refusal for the occupation of such units:

6 (1) demolition or substantial renovation conducted after the property
7 owner filed an application for a building permit with the department of
8 buildings falsely reporting that no tenants occupied the building
9 proposed for demolition or substantial renovation, when tenants, in
10 fact, did occupy the building; or

11 (2) demolition or substantial renovation necessitated due to the
12 negligence of the owner and/or landlord; or

13 (3) demolition or substantial renovation necessitated by illegal code
14 violations; or

15 (4) demolition or substantial renovation authorized pursuant to a
16 project as defined by section three of the urban development corporation
17 act.

18 § 2. Section 6 of section 4 of chapter 576 of the laws of 1974,
19 constituting the emergency tenant protection act of nineteen seventy-
20 four, is amended by adding a new subdivision h to read as follows:

21 h. Notwithstanding any provision of law, rule or regulation to the
22 contrary, if all or a portion of the rent controlled or rent stabilized
23 housing accommodation protected by the emergency tenant protection act
24 of nineteen seventy-four, the emergency housing rent control law, the
25 local emergency housing rent control act, the administrative code of
26 the city of New York and any regulations, rules and policies enacted
27 pursuant thereto, in a residential building are rendered uninhabitable
28 or are vacated due to demolition and new construction or to substantial
29 renovation conducted by or on behalf of the property owner under any of
30 the following circumstances:

31 (1) demolition or substantial renovation conducted after the property
32 owner filed an application for a building permit with the department of
33 buildings falsely reporting that no tenants occupied the building
34 proposed for demolition or substantial renovation, when tenants, in
35 fact, did occupy the building; or

36 (2) demolition or substantial renovation necessitated due to the
37 negligence of the owner and/or landlord; or

38 (3) demolition or substantial renovation necessitated by illegal code
39 violations; or

40 (4) demolition or substantial renovation authorized pursuant to a
41 project as defined by section three of the urban development corporation
42 act, the property owner shall, upon completion of the new construction
43 or renovation of the building, dedicate an equal number of units, of
44 sizes equivalent to those vacated or rendered uninhabitable, at the
45 rent amount allowable for the units existing prior to the demo-
46 lition or renovation to the same status the unit previously held as
47 rent controlled or rent stabilized housing accommodation protected by
48 the emergency tenant protection act of nineteen seventy-four, the
49 emergency housing rent control law, the local emergency housing rent
50 control act, the administrative code of the city of New York and
51 any regulations, rules and policies enacted pursuant thereto. The tenant
52 or tenants in possession immediately prior to such demolition or
53 substantial renovation shall have the right of first refusal for the
54 occupation of such units.

1 § 3. Section 5 of chapter 274 of the laws of 1946, constituting the
2 emergency housing rent control law, is amended by adding a new subdivi-
3 sion 9 to read as follows:

4 9. Notwithstanding any provision of law, rule or regulation to the
5 contrary, if all or a portion of the rent controlled or rent stabilized
6 housing accommodation protected by the emergency tenant protection act
7 of nineteen seventy-four, the emergency housing rent control law, the
8 local emergency housing rent control act, the administrative code of
9 the city of New York and any regulations, rules and policies enacted
10 pursuant thereto, in a residential building are rendered uninhabitable
11 or are vacated due to demolition and new construction or to substantial
12 renovation conducted by or on behalf of the property owner under any of
13 the following circumstances:

14 (a) demolition or substantial renovation conducted after the property
15 owner filed an application for a building permit with the department of
16 buildings falsely reporting that no tenants occupied the building
17 proposed for demolition or substantial renovation, when tenants, in
18 fact, did occupy the building; or

19 (b) demolition or substantial renovation necessitated due to the
20 negligence of the owner and/or landlord; or

21 (c) demolition or substantial renovation necessitated by illegal code
22 violations; or

23 (d) demolition or substantial renovation authorized pursuant to a
24 project as defined by section three of the urban development corporation
25 act, the property owner shall, upon completion of the new construction
26 or renovation of the building, dedicate an equal number of units, of
27 sizes equivalent to those vacated or rendered uninhabitable, at the
28 rent amount allowable for the units existing prior to the demo-
29 lition or renovation to the same status the unit previously held as
30 rent controlled or rent stabilized housing accommodation protected by
31 the emergency tenant protection act of nineteen seventy-four, the
32 emergency housing rent control law, the local emergency housing rent
33 control act, the administrative code of the city of New York and
34 any regulations, rules and policies enacted pursuant thereto. The
35 tenant or tenants in possession immediately prior to such demolition or
36 substantial renovation shall have the right of first refusal for the
37 occupation of such units.

38 § 4. This act shall take effect immediately; provided, however, that
39 the amendments to section 26-512 of chapter 4 of title 26 of the admin-
40 istrative code of the city of New York made by section one of this act
41 shall expire on the same date as such law expires and shall not affect
42 the expiration of such law as provided under section 26-520 of such law.