

# STATE OF NEW YORK

4359

2025-2026 Regular Sessions

## IN SENATE

February 4, 2025

Introduced by Sen. BAILEY -- 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 emergency tenant protection act of nineteen seventy-four and the administrative code of the city of New York, in relation to alternates on rent guidelines boards

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

1 Section 1. Subdivision a of section 4 of section 4 of chapter 576 of  
2 the laws of 1974, constituting the emergency tenant protection act of  
3 nineteen seventy-four, as amended by section 5 of part G of chapter 36  
4 of the laws of 2019, is amended to read as follows:  
5 a. In each county wherein any city having a population of less than  
6 one million or any town or village has determined the existence of an  
7 emergency pursuant to section three of this act, there shall be created  
8 a rent guidelines board to consist of nine members and three alternates  
9 appointed by the commissioner of housing and community renewal upon  
10 recommendation of the county legislature, except that a rent guidelines  
11 board created subsequent to the effective date of [~~the~~] chapter thirty-  
12 six of the laws of two thousand nineteen [~~that amended this section~~]  
13 shall consist of nine members appointed by the commissioner of housing  
14 and community renewal upon recommendations of the local legislative body  
15 of each city having a population of less than one million or town or  
16 village which has determined the existence of an emergency pursuant to  
17 section three of this act. Such recommendation shall be made within  
18 thirty days after the first local declaration of an emergency in such  
19 county; two such members and one such alternate shall be representative  
20 of tenants, two such members and one such alternate shall be represen-  
21 tative of owners of property, and five such members and one such alter-  
22 nate shall be public [~~members~~] representatives each of whom shall have  
23 had at least five years experience in either finance, economics or hous-

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

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1 ing. One public member shall be designated by the commissioner to serve  
2 as [~~chairman~~ chairperson] and shall hold no other public office. No  
3 member, officer or employee of any municipal rent regulation agency or  
4 the state division of housing and community renewal and no person who  
5 owns or manages real estate covered by this law or who is an officer of  
6 any owner or tenant organization shall serve on a rent guidelines board.  
7 One public member, one member, the alternate representative of tenants  
8 and one member representative of owners shall serve for a term ending  
9 two years from January first next succeeding the date of their appoint-  
10 ment; one public member, one member representative of tenants, and one  
11 member and the alternate representative of owners shall serve for terms  
12 ending three years from the January first next succeeding the date of  
13 their appointment and three public members and the public alternate  
14 shall serve for terms ending four years from January first next succeed-  
15 ing the dates of their appointment. Thereafter, all members and alter-  
16 nates shall serve for terms of four years each. Members and alternates  
17 shall continue in office until their successors have been appointed and  
18 qualified. The commissioner shall fill any vacancy which may occur by  
19 reason of death, resignation; or otherwise in a manner consistent with  
20 the original appointment. A member or alternate may be removed by the  
21 commissioner for cause, but not without an opportunity to be heard in  
22 person or by counsel, in [~~his~~] their defense, upon not less than ten  
23 [~~days~~] days' notice. Compensation for the members and alternates of the  
24 board shall be at the rate of one hundred dollars per day, for no more  
25 than twenty days a year, except that the [~~chairman~~] chairperson shall be  
26 compensated at the rate of one hundred twenty-five dollars a day for no  
27 more than thirty days a year. The board shall be provided staff assist-  
28 ance by the division of housing and community renewal. The compensation  
29 of such members and alternates and the costs of staff assistance shall  
30 be paid by the division of housing and community renewal, which shall be  
31 reimbursed in the manner prescribed in section [~~four~~] eight of this act.  
32 An alternate shall only participate as a voting member in the  
33 proceedings of the board and be paid when a member, representing the  
34 same interest as the alternate, is unable to fulfill their duties on the  
35 board. Alternates shall be permitted to participate in all proceedings  
36 of the board as non-voting members. The local legislative body of each  
37 city having a population of less than one million and each town and  
38 village in which an emergency has been determined to exist as herein  
39 provided [~~shall be~~] is authorized to designate one person who shall be  
40 representative of tenants and one person who shall be representative of  
41 owners of property to serve at its pleasure and without compensation to  
42 advise and assist the county rent guidelines board in matters affecting  
43 the adjustment of rents for housing accommodations in such city, town or  
44 village as the case may be.

45 § 2. Subdivisions a and c of section 26-510 of the administrative code  
46 of the city of New York are amended to read as follows:

47 a. There shall be a rent guidelines board, to consist of nine members  
48 and three alternates, appointed by the mayor. Two members and one alter-  
49 nate shall be representative of tenants, two members and one alternate  
50 shall be representative of owners of property, and five members and one  
51 alternate shall be public [~~members~~] representatives, each of whom shall  
52 have had at least five years experience in either finance, economics, or  
53 housing. One public member shall be designated by the mayor to serve as  
54 [~~chairman~~] chairperson and shall hold no other public office. No  
55 member, officer, or employee of any municipal rent regulation agency or  
56 the state division of housing and community renewal and no person who

1 owns or manages real estate covered by this law or who is an officer of  
2 any owner or tenant organization shall serve on a rent guidelines board.  
3 One public member, one member, and one alternate representative of  
4 tenants and one member representative of owners shall serve for a term  
5 ending two years from January first next succeeding the date of their  
6 appointment; one public member, one member representative of tenants  
7 [~~and~~], one member, and one alternate representative of owners shall  
8 serve for terms ending three years from the January first next succeed-  
9 ing the date of their appointment; and two public members and the public  
10 alternate shall serve for terms ending four years from January first  
11 next succeeding the dates of their appointment. The [~~chairman~~] chair-  
12 person shall serve at the pleasure of the mayor. Thereafter, all members  
13 and alternates shall continue in office until their successors have been  
14 appointed and qualified. The mayor shall fill any vacancy which may  
15 occur by reason of death, resignation, or otherwise in a manner consist-  
16 ent with the original appointment. A member or alternate may be removed  
17 by the mayor for cause, but not without an opportunity to be heard in  
18 person or by counsel, in [~~his or her~~] their defense, upon not less than  
19 ten [~~days~~] days' notice. An alternate shall only participate as a voting  
20 member in the proceedings of the board and be paid when a member,  
21 representing the same interest as the alternate, is unable to fulfill  
22 their duties on the board. Alternates shall be permitted to participate  
23 in all proceedings of the board as non-voting members.

24 c. Such members and alternates shall be compensated on a per diem  
25 basis of one hundred dollars per day for no more than twenty-five days a  
26 year, except that the [~~chairman~~] chairperson shall be compensated at one  
27 hundred twenty-five dollars a day for no more than fifty days a year.  
28 The [~~chairman~~] chairperson shall be chief administrative officer of the  
29 rent guidelines board and among [~~his or her~~] their powers and duties [~~he~~  
30 ~~or she~~] they shall have the authority to employ, assign, and supervise  
31 the employees of the rent guidelines board and enter into contracts for  
32 consultant services. The department of housing preservation and devel-  
33 opment shall cooperate with the rent guidelines board and may assign  
34 personnel and perform such services in connection with the duties of the  
35 rent guidelines board as may reasonably be required by the [~~chairman~~]  
36 chairperson.

37 § 3. This act shall take effect immediately provided that the amend-  
38 ment to section 26-510 of the rent stabilization law of nineteen hundred  
39 sixty-nine made by section two of this act shall expire on the same date  
40 as such law expires and shall not affect the expiration of such law as  
41 provided under section 26-520 of such law.