

STATE OF NEW YORK

8118--C

Cal. No. 1183

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sens. KAVANAGH, JACKSON -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the real property law and the public service law, in relation to prohibiting utility service terminations in multiple dwellings

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

1 Section 1. Subdivision 1 of section 235-a of the real property law, as
2 amended by chapter 143 of the laws of 2020, is amended to read as
3 follows:

4 1. In any case in which a residential tenant shall lawfully make a
5 payment to a utility company pursuant to the provisions of [~~sections~~
6 ~~thirty-three,~~ section thirty-four [~~and one hundred sixteen~~] of the
7 public service law, or to a utility company as defined in subdivision
8 twenty-three of section two of the public service law, public authority,
9 water-works corporation, as defined in subdivision twenty-seven of
10 section two of the public service law, or municipal water system, as
11 prescribed in section eighty-nine-1 of the public service law, for water
12 service which a landlord is responsible for but has failed or refused to
13 provide payment therefor, such payment shall be deductible from any
14 future payment of rent.

15 § 2. Section 33 of the public service law, as added by chapter 713 of
16 the laws of 1981, paragraphs (c) and (d) of subdivision 1 as amended by
17 chapter 195 of the laws of 2010, is amended to read as follows:

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

LBD13069-09-6

1 § 33. [~~Discontinuance of residential utility service to multiple~~
2 ~~dwelling~~s] Action for receivership of rents and common charges on resi-
3 dential utility service to multiple dwellings. 1. Notwithstanding any
4 other provisions of law, no public utility company, including the Long
5 Island power authority, or municipality shall discontinue gas, electric
6 or steam service to an entire multiple dwelling (as defined in the
7 multiple dwelling law or the multiple residence law) located anywhere in
8 this state for nonpayment of bills rendered for service [~~unless such~~]. A
9 public utility company or municipality may commence an action against
10 the owner of the premises affected seeking the appointment of a receiver
11 of rents or payments for use and occupancy or common charges, as defined
12 in section three hundred thirty-nine-e of the real property law, against
13 such multiple dwelling for the amount of such utility bills. A utility
14 shall have given fifteen days written notice of its intention so to
15 [~~discontinue~~] seek such appointment of a receiver as follows:

16 (a) Such notice shall be served personally on the owner of the prem-
17 ises affected, or in lieu thereof, to the person, firm, or corporation
18 to whom or which the last preceding bill has been rendered and from whom
19 or which the utility has received payment therefor, and to the super-
20 intendent or other person in charge of the building or premises
21 affected, if it can be readily ascertained that there is such super-
22 intendent or other person in charge.

23 (b) In lieu of personal delivery to the person or persons, firm or
24 corporation specified in paragraph (a) [~~above~~] of this subdivision, such
25 notice may be mailed in a postpaid wrapper to the address of such person
26 or persons, firm or corporation.

27 (c) In addition to the notice prescribed by paragraph (a) or (b) of
28 this subdivision, fifteen days written notice shall be (i) posted in the
29 public areas of such multiple dwelling, (ii) mailed to the "Occupant" of
30 each unit in that multiple dwelling, (iii) mailed to the local health
31 officer and the director of the social services district for the poli-
32 tical subdivision in which the multiple dwelling is located, (iv) if the
33 multiple dwelling is located in a city or a village, mailed to the mayor
34 thereof, or if there be none, to the manager, or, if the multiple dwell-
35 ing is located in a town, then mailed to the town supervisor, (v) mailed
36 to the county executive of the county in which the multiple dwelling is
37 located, or if there be none, then to the [~~chairman~~] chairperson of such
38 county's legislative body, and (vi) mailed to the office of the New York
39 state long term care ombudsman, if the multiple dwelling is a residen-
40 tial health care facility as defined in subdivision three of section
41 twenty-eight hundred one of the public health law, an adult care facili-
42 ty as defined in subdivision twenty-one of section two of the social
43 services law, or an assisted living residence as defined in subdivision
44 one of section forty-six hundred fifty-one of the public health law as
45 added by chapter two of the laws of two thousand four. Notice required
46 by subparagraphs (iv) and (v) of this paragraph may be mailed to the
47 persons specified therein or to their respective designees. The notice
48 required by this paragraph shall state [~~the intended date of discontin-~~
49 ~~uance of service,~~] the amount due for such service, and [~~the procedure~~
50 ~~by which any tenant or public agency may make such payment and thereby~~
51 ~~avoid discontinuance of service~~] that the utility will not discontinue
52 service and shall seek the appointment of a receiver of rents or
53 payments against the owner. The notice shall be in clear and under-
54 standable language and provided in any language required by the commis-
55 sion pursuant to section forty-four of this article, provided that any

1 more expansive language requirement established as part of settlement
2 with the commission or department shall be followed.

3 ~~[(d) The written notice required by subparagraphs (iii), (iv), (v) and~~
4 ~~(vi) of paragraph (c) of this subdivision shall be repeated not more~~
5 ~~than four days nor less than two days prior to such discontinuance.~~

6 ~~1-a. Whenever a notice of intention to discontinue utility service has~~
7 ~~been made pursuant to the provisions of this section and obligations~~
8 ~~owed the utility or municipality have been satisfied, the utility or~~
9 ~~municipality shall notify, in the same manner as it gave such notice of~~
10 ~~intention, the occupant of each unit that the intention to discontinue~~
11 ~~utility service no longer exists.]~~

12 2. (a) Following the notification of intent to seek an action as
13 outlined in subdivision one of this section, a utility corporation may
14 petition the court of competent jurisdiction for appointment of a
15 receiver of rents or payments for use and occupancy or common charges,
16 as defined in section three hundred thirty-nine-e of the real property
17 law, for any dwelling which the owner or the person, firm or corporation
18 who received such notification is in default. The court shall issue an
19 order to show cause why a receiver should not be appointed, which shall
20 be served upon the owner, the building's lessor, manager, or their agent
21 in a manner prescribed by the court which shall include posting of such
22 order on the premises of such multiple dwelling in question in a manner
23 similar to paragraph (c) of subdivision one of this section. If a peti-
24 tion or petitions are filed by a single petitioner regarding more than
25 one building under the same ownership, the court shall, if practicable,
26 appoint a common receiver for all such buildings and, if filed as sepa-
27 rate actions, may consolidate such petitions and treat them as a single
28 action.

29 (b) A hearing shall be held on such order no later than seventy-two
30 hours after its issuance or the first court day thereafter. The sole
31 purpose of such a hearing shall be to determine whether there is an
32 amount owed between the owner and the utility corporation. The court
33 shall make a determination of any amount due and any amount so deter-
34 mined shall constitute a lien upon the real property of such owner. If
35 after determination of any amount due by the court the owner, the
36 building's lessor, manager, or their agent petitions the court to be
37 permitted to pay such amounts, the court may, in lieu of appointing a
38 receiver, issue an order permitting such owner, the building's lessor,
39 manager, or agent to repay the amounts due the petitioning utility
40 corporation within a time fixed by the court. If at the time fixed in
41 the order the amounts have not been repaid, the court shall appoint such
42 receiver. Such lien shall include:

43 (i) the name and address of the utility corporation, including any
44 doing business as name or the corporation;

45 (ii) the name and address of the corporation's attorney, if any;

46 (iii) the name of the owner of the real property or properties against
47 which such unpaid utility bills exist;

48 (iv) the amount unpaid to the lienor for such arrearage; and

49 (v) the property or properties subject to the lien, with a
50 description thereof sufficient for identification; and if in a city or
51 village, the property's or properties' location(s) by street and number.

52 Such lien shall be filed in the clerk's office of the county
53 where the property or properties are situated. If such property or prop-
54 erties are situated in two or more counties, such lien shall be
55 filed in the office of the clerk of each of such counties.

1 (c) As soon as practicable, but no more than ten days after the
2 receipt of the order of appointment of such receiver, such receiver
3 shall provide written notice to all occupants of the building or build-
4 ings, delivered separately to each dwelling unit, stating that the
5 receiver has been authorized to collect all rents or payments for use
6 and occupancy or common charges, as defined in section three hundred
7 thirty-nine-e of the real property law due from such occupant and that
8 the owner, the building's lessor, manager, or their agent is prohibited
9 from collecting such rents or payments for use and occupancy, or common
10 charges. The notice shall additionally be sent to those outlined in
11 paragraph (c) of subdivision one of this section. Such notice shall
12 include the address to which payments are to be made and the contact
13 information with which the receiver will be contacted, which shall
14 include at a minimum a telephone number. The notice shall be in clear
15 and understandable language and provided in any language required by the
16 commission pursuant to section forty-four of this article, provided that
17 any more expansive language requirement established as part of settle-
18 ment between the commission or department and the petitioner shall be
19 followed. A copy of the court order appointing the receiver and author-
20 izing the collection of rents shall be attached to the notice.

21 (d) The receiver appointed by the court shall collect all rents or
22 payments for use and occupancy or common charges forthcoming from the
23 occupants of the building or buildings in question in place of the
24 owner, the building's lessor, manager, or any agent. The court shall
25 authorize the receiver to utilize such collected rents or payments for
26 expenses reasonably necessary to continue the operation and management
27 of such building or buildings, make reasonable repairs, and provide
28 reasonable maintenance to the premises as determined by the court and in
29 accordance with section two hundred thirty-five-b of the real property
30 law, the reasonable cost of which, should such actions not be covered
31 by the rents or payments received, shall be added to the total amount
32 due and owing from the owner. The receiver may also petition the court
33 in order to recover amounts due as determined under paragraph (b) of
34 this subdivision and continuing charges for such gas, electric, or steam
35 service until all such charges and other costs have been paid.

36 (e) The owner, the building's lessor, manager, or their agent shall be
37 liable for such reasonable fees and costs determined by the court to be
38 due to the receiver, which fees and costs may be recovered from the
39 rents or payments for use and occupancy under the control of the receiv-
40 er, provided no such fees or costs shall be recovered until after the
41 payment for current electric, gas, water, or steam delivery has been
42 made. The receiver shall make payments for electric, gas, water, or
43 steam supplied on and after the date of their appointment. Any moneys
44 from rental payments or payments for use and occupancy or common charges
45 remaining after payment for current electric, gas, steam and water
46 service deliveries, for expenses reasonably necessary to continue the
47 operation and management of such building or buildings as determined by
48 the court and in accordance with section two hundred thirty-five-b of
49 the real property law, and after payment for reasonable costs and fees
50 to the receiver, shall be applied to any arrearage found by the court to
51 be due and owing the petitioner from the owner or their agent for
52 service provided to such building or buildings. Any moneys remaining
53 thereafter shall be turned over to the owner, the building's lessor,
54 manager, or their agent. The court may order an accounting to be made at
55 such times as it determines to be just, reasonable, and necessary.

1 (f) For the purposes of this section, the department charged with
2 enforcing the multiple dwelling law shall prepare a schedule of all
3 multiple dwellings within its jurisdiction and shall provide a copy of
4 such schedule to any gas, steam or electric corporation or municipality
5 subject to the provisions of this section. Such schedule shall be
6 revised semi-annually and a revised copy provided to such corporation.
7 Every county, and every municipality to which the multiple dwelling law
8 does not apply, which county or municipality has compiled or hereafter
9 may compile a listing of all multiple dwellings within its jurisdiction
10 shall make such listing available without charge to any gas, steam or
11 electric corporation providing service in such county or municipality.

12 ~~3. [Any gas, electric or steam corporation or municipality which will~~
13 ~~fully fails to comply with the provisions of this section shall be~~
14 ~~liable for a penalty of twenty-five dollars for each occupied unit of~~
15 ~~the multiple dwelling for each day during which service is unlawfully~~
16 ~~discontinued; provided, however, that when the only non-compliance with~~
17 ~~this section is failure to mail notice to each "Occupant" as required by~~
18 ~~clause (ii) of paragraph (c) of subdivision one above the penalty shall~~
19 ~~be twenty-five dollars for each occupied unit of the multiple dwelling~~
20 ~~to which notice was not mailed for each day during which service is~~
21 ~~unlawfully discontinued. An action to recover a penalty under this~~
22 ~~section may be brought by the counsel to the commission in any court of~~
23 ~~competent jurisdiction in this state in the name of the people of the~~
24 ~~state of New York. Any moneys recovered in such action shall be paid to~~
25 ~~the state treasury to the credit of the general fund.~~

26 4.] Any receivership established pursuant to subdivision two of this
27 section shall be terminated by the court upon its finding, through
28 notification by the receiver, that the arrearage which was the subject
29 of the original petition has been satisfied, or that the building has
30 been sold and the new owner has assumed liability for prospective
31 service supplied by the petitioner. Upon the court's termination of any
32 receivership established pursuant to subdivision two of this section,
33 the receiver shall provide written notice to all occupants of the build-
34 ing or buildings, delivered in the same manner as notification was sent
35 pursuant to paragraph (c) of subdivision two of this section, stating
36 that the receivership has been terminated by the court and the owner,
37 the building's lessor, manager, or their agent is again authorized to
38 collect rents or payments for use and occupancy, or common charges.

39 4. Nothing in this section shall prevent the petitioner from pursuing
40 any other action or remedy it may have against the owner, the building's
41 lessor, manager, or their agent.

42 5. Nothing in this section shall prevent an action by a tenant or
43 tenants from pursuing any other action or remedy available to them
44 against the owner or their agent, or limit any provision of law provid-
45 ing for the protection or rights of a tenant in regards to eviction.

46 6. Any owner or agent of such owner who collects or attempts to
47 collect any rent or payment for use and occupancy from any occupant of a
48 building subject to an order appointing a receiver may be found, after
49 due notice and hearing, to be in contempt of court.

50 7. Any person who willfully interferes with the posting of the notice
51 specified in [elause] subparagraph (i) of paragraph (c) of subdivision
52 one [above], subdivision two, or in subdivision three of this section by
53 any gas, steam or electric corporation or municipality, or agent of the
54 court willfully defaces or mutilates any such notice, or willfully
55 removes the same from the place where it is posted by such company or
56 court agent prior to the date specified therein for the [discontinuance

1 ~~of service]~~ notice to seek lien, order to show cause, or notice of
 2 termination of receiver shall be guilty of a violation and, upon
 3 conviction, shall be punished by a fine not exceeding twenty-five
 4 dollars.

5 ~~[5. The commission shall maintain rules and regulations for the~~
 6 ~~payment by tenants of utility bills for gas, electric or steam service~~
 7 ~~in a multiple dwelling to which this section applies where the owner of~~
 8 ~~any such multiple dwelling, or the person, firm or corporation to whom~~
 9 ~~or which the last preceding bill has been rendered or from whom or which~~
 10 ~~the utility or municipality has received payment therefor, has failed to~~
 11 ~~pay such utility bills. Such rules and regulations shall (a) provide~~
 12 ~~that utility service may not be discontinued to any such multiple dwell-~~
 13 ~~ing as long as the tenants continue to make timely payments in accord-~~
 14 ~~ance with established procedures; (b) include designation of an office~~
 15 ~~to advise tenants of the rights and procedures available pursuant to~~
 16 ~~such rules and regulations; (c) assure that tenants shall not be liable~~
 17 ~~for bills more than two months in arrears; and (d) require the commis-~~
 18 ~~sion upon petition of twenty five percent of the tenants of such multi-~~
 19 ~~ple dwelling to meet with representatives of such tenants and the owner,~~
 20 ~~person, firm or corporation to whom or which the last preceding bill has~~
 21 ~~been rendered or from whom or which the utility has received payment~~
 22 ~~therefor.]~~

23 § 3. Section 116 of the public service law, as amended by chapter 713
 24 of the laws of 1981, subdivision 5 as separately amended by chapter 511
 25 of the laws of 1981, is amended to read as follows:

26 § 116. ~~[Discontinuance of water service to multiple dwellings.]~~ Action
 27 for receivership of rents and common charges on residential water
 28 service to multiple dwellings. 1. Notwithstanding any other provisions
 29 of law, no public utility company shall discontinue water service to an
 30 entire multiple dwelling (as defined in the multiple dwelling law or the
 31 multiple residence law) located anywhere in this state for nonpayment of
 32 bills rendered for service ~~[unless such].~~ A public utility company or
 33 municipality may commence an action against the owner of the premises
 34 affected seeking the appointment of a receiver of rents or payments for
 35 use and occupancy or common charges, as defined in section three hundred
 36 thirty-nine-e of the real property law, against such multiple dwelling
 37 for the amount of such utility bills. A utility shall have given fifteen
 38 days' written notice of its intention so to ~~[discontinue]~~ seek such
 39 appointment of receiver as follows:

40 (a) Such notice shall be served personally on the owner of the prem-
 41 ises affected, or in lieu thereof, to the person, firm, or corporation
 42 to whom or which the last preceding bill has been rendered and from whom
 43 or which the utility has received payment therefor, and to the super-
 44 intendent or other person in charge of the building or premises
 45 affected, if it can be readily ascertained that there is such super-
 46 intendent or other person in charge.

47 (b) In lieu of personal delivery to the person or persons, firm or
 48 corporation specified in paragraph (a) [above] of this subdivision, such
 49 notice may be mailed in a postpaid wrapper to the address of such person
 50 or persons, firm or corporation.

51 (c) In addition to the notice prescribed by paragraph (a) or (b)
 52 [above] of this subdivision, fifteen days' written notice shall be (i)
 53 posted in the public areas of such multiple dwelling, (ii) mailed to the
 54 "Occupant" of each unit in that multiple dwelling, (iii) mailed to the
 55 local health officer and the director of the social services district
 56 for the political subdivision in which the multiple dwelling is located,

1 (iv) if the multiple dwelling is located in a city or a village, mailed
2 to the mayor thereof, or if there be none, to the manager, or, if the
3 multiple dwelling is located in a town, then mailed to the town supervi-
4 sor, and (v) mailed to the county executive of the county in which the
5 multiple dwelling is located, or if there be none, then to the [~~chair-~~
6 ~~man~~] chairperson of such county's legislative body. Notice required by
7 subparagraphs (iv) and (v) of this paragraph may be mailed to the
8 persons specified therein or to their respective designees. The notice
9 required by this paragraph shall state the [~~intended date of discontin-~~
10 ~~uance of service, the~~] amount due for such service, and [~~the procedure~~
11 ~~by which any tenant or public agency may make such payment and thereby~~
12 ~~avoid discontinuance of service~~] that the utility will not discontinue
13 service and shall seek the appointment of a receiver of rents or
14 payments against the owner. The notice shall be in clear and understand-
15 able language and provided in any language required by the commission
16 pursuant to section forty-four of this chapter, provided that any more
17 expansive language requirement established as part of settlement with
18 the commission or department shall be followed.

19 [~~(d) The written notice required by clauses (iii), (iv) and (v) of~~
20 ~~paragraph (c) above shall be repeated not more than four days nor less~~
21 ~~than two days prior to such discontinuance.~~

22 ~~1-a. Whenever a notice of intention to discontinue utility service has~~
23 ~~been made pursuant to the provisions of this section and obligations~~
24 ~~owed the utility have been satisfied, the utility shall notify, in the~~
25 ~~same manner as it gave such notice of intention, the occupant of each~~
26 ~~unit that the intention to discontinue utility service no longer~~
27 ~~exists.]~~

28 2. (a) Following the notification of intent to seek an action as
29 outlined in subdivision one of this section, a utility corporation may
30 petition the court of competent jurisdiction for appointment of a
31 receiver of rents or payments for use and occupancy or common charges,
32 as defined in section three hundred thirty-nine-e of the real property
33 law, for any dwelling which the owner or the person, firm or corporation
34 who received such notification is in default. The court shall issue an
35 order to show cause why a receiver should not be appointed, which shall
36 be served upon the owner, the building's lessor, manager, or their agent
37 in a manner prescribed by the court which shall include posting of such
38 order on the premises of such multiple dwelling in question in a manner
39 similar to paragraph (c) of subdivision one of this section. If a peti-
40 tion or petitions are filed by a single petitioner regarding more than
41 one building under the same ownership, the court shall, if practicable,
42 appoint a common receiver for all such buildings and, if filed as sepa-
43 rate actions, may consolidate such petitions and treat them as a single
44 action.

45 (b) A hearing shall be held on such order no later than seventy-two
46 hours after its issuance or the first court day thereafter. The sole
47 purpose of such a hearing shall be to determine whether there is an
48 amount owed between the owner and the utility corporation. The court
49 shall make a determination of any amount due and any amount so deter-
50 mined shall constitute a lien upon the real property of such owner. If
51 after determination of any amount due by the court the owner, the
52 building's lessor, manager, or their agent petitions the court to be
53 permitted to pay such amounts, the court may, in lieu of appointing a
54 receiver, issue an order permitting such owner, the building's lessor,
55 manager, or agent to repay the amounts due the petitioning utility
56 corporation within a time fixed by the court. If at the time fixed in

1 the order the amounts have not been repaid, the court shall appoint such
2 receiver. Such lien shall include:

3 (i) the name and address of the utility corporation, including any
4 doing business as name or the corporation;

5 (ii) the name and address of the corporation's attorney, if any;

6 (iii) the name of the owner of the real property or properties against
7 which such unpaid utility bills exist;

8 (iv) the amount unpaid to the lienor for such arrearage; and

9 (v) the property or properties subject to the lien, with a
10 description thereof sufficient for identification; and if in a city or
11 village, the property's or properties' location(s) by street and number.

12 Such lien shall be filed in the clerk's office of the county
13 where the property or properties are situated. If such property or prop-
14 erties are situated in two or more counties, such lien shall be
15 filed in the office of the clerk of each of such counties.

16 (c) As soon as practicable, but no more than ten days after the
17 receipt of the order of appointment of such receiver, such receiver
18 shall provide written notice to all occupants of the building or build-
19 ings, delivered separately to each dwelling unit, stating that the
20 receiver has been authorized to collect all rents or payments for use
21 and occupancy or common charges, as defined in section three hundred
22 thirty-nine-e of the real property law due from such occupant and that
23 the owner, the building's lessor, manager, or their agent is prohibited
24 from collecting such rents or payments for use and occupancy, or common
25 charges. The notice shall additionally be sent to those outlined in
26 paragraph (c) of subdivision one of this section. Such notice shall
27 include the address to which payments are to be made and the contact
28 information with which the receiver will be contacted, which shall
29 include at a minimum a telephone number. The notice shall be in clear
30 and understandable language and provided in any language required by the
31 commission pursuant to section forty-four of this chapter, provided that
32 any more expansive language requirement established as part of settle-
33 ment between the commission or department and the petitioner shall be
34 followed. A copy of the court order appointing the receiver and author-
35 izing the collection of rents shall be attached to the notice.

36 (d) The receiver appointed by the court shall collect all rents or
37 payments for use and occupancy or common charges forthcoming from the
38 occupants of the building or buildings in question in place of the
39 owner, the building's lessor, manager, or any agent. The court shall
40 authorize the receiver to utilize such collected rents or payments for
41 expenses reasonably necessary to continue the operation and management
42 of such building or buildings, make reasonable repairs, and provide
43 reasonable maintenance to the premises as determined by the court and in
44 accordance with section two hundred thirty-five-b of the real property
45 law, the reasonable cost of which, should such actions not be covered
46 by the rents or payments received, shall be added to the total amount
47 due and owing from the owner. The receiver may also petition the court
48 in order to recover amounts due as determined under paragraph (b) of
49 this subdivision and continuing charges for such water service until all
50 such charges and other costs have been paid.

51 (e) The owner or their agent shall be liable for reasonable fees and
52 costs determined by the court to be due to the receiver, such fees and
53 costs may be recovered from the rents or payments for use and occupancy
54 under the control of the receiver, provided no such fees or costs shall
55 be recovered until after the payment for current electric, gas, water,
56 or steam delivery has been made. The receiver shall make payments for

1 electric, gas, water, or steam supplied on and after the date of their
2 appointment. Any moneys from rental payments or payments for use and
3 occupancy or common charges remaining after payment for current elec-
4 tric, gas, steam and water service deliveries, for expenses reasonably
5 necessary to continue the operation and management of such building or
6 buildings as determined by the court and in accordance with section two
7 hundred thirty-five-b of the real property law, and after payment for
8 reasonable costs and fees to the receiver, shall be applied to any
9 arrearage found by the court to be due and owing the petitioner from the
10 owner or their agent for service provided to such building or buildings.
11 Any moneys remaining thereafter shall be turned over to the owner, the
12 building's lessor, manager, or their agent. The court may order an
13 accounting to be made at such times as it determines to be just, reason-
14 able, and necessary.

15 (f) For the purposes of this section, the department charged with
16 enforcing the multiple dwelling law shall prepare a schedule of all
17 multiple dwellings within its jurisdiction and shall provide a copy of
18 such schedule to any water corporation subject to the provisions of this
19 section. Such schedule shall be revised semi-annually and a revised copy
20 provided to such corporation. Every county, and every municipality to
21 which the multiple dwelling law does not apply, which county or munici-
22 pality has compiled or hereafter may compile a listing of all multiple
23 dwellings within its jurisdiction shall make such listing available
24 without charge to any water corporation providing service in such county
25 or municipality.

26 3. ~~[Any water corporation which willfully fails to comply with the~~
27 ~~provisions of this section shall be liable for a penalty of twenty five~~
28 ~~dollars for each occupied unit of the multiple dwelling for each day~~
29 ~~during which service is unlawfully discontinued; provided, however, that~~
30 ~~when the only non-compliance with this section is failure to mail notice~~
31 ~~to each "Occupant" as required by clause (ii) of paragraph (c) of subdivi-~~
32 ~~sion one above the penalty shall be twenty five dollars for each occu-~~
33 ~~pied unit of the multiple dwelling to which notice was not mailed for~~
34 ~~each day during which service is unlawfully discontinued. An action to~~
35 ~~recover a penalty under this section may be brought by the counsel to~~
36 ~~the commission in any court of competent jurisdiction in this state in~~
37 ~~the name of the people of the state of New York. Any monies recovered in~~
38 ~~such action shall be paid to the state treasury to the credit of the~~
39 ~~general fund.~~

40 4.] Any receivership established pursuant to subdivision two of this
41 section shall be terminated by the court upon its finding, through
42 notification by the receiver, that the arrearage which was the subject
43 of the original petition has been satisfied, or that the building has
44 been sold and the new owner has assumed liability for prospective
45 service supplied by the petitioner. Upon the court's termination of any
46 receivership established pursuant to subdivision two of this section,
47 the receiver shall provide written notice to all occupants of the build-
48 ing or buildings, delivered in the same manner as notification was sent
49 pursuant to paragraph (c) of subdivision two of this section, stating
50 that the receivership has been terminated by the court and the owner,
51 the building's lessor, manager, or their agent is again authorized to
52 collect rents or payments for use and occupancy, or common charges.

53 4. Nothing in this section shall prevent the petitioner from pursuing
54 any other action or remedy it may have against the owner or their agent.

55 5. Nothing in this section shall prevent an action by a tenant or
56 tenants from pursuing any other action or remedy available to them

1 against the owner or their agent, or limit any provision of law provid-
2 ing for the protection or rights of a tenant in regards to eviction.

3 6. Any owner or agent of such owner who collects or attempts to
4 collect any rent or payment for use and occupancy from any occupant of a
5 building subject to an order appointing a receiver may be found, after
6 due notice and hearing, to be in contempt of court.

7 7. Any person who willfully interferes with the posting of the notice
8 specified in [~~clause~~] subparagraph (i) of paragraph (c) of subdivision
9 one, subdivision two, and subdivision three [~~above~~] of this section by
10 any water corporation or agent of the court, willfully defaces or muti-
11 lates any such notice, or willfully removes the same from the place
12 where it is posted by such company or court agent prior to the date
13 specified therein for the [~~discontinuance of service~~] notice to seek
14 lien, order to show cause, or notice of termination of receiver shall be
15 guilty of a violation and, upon conviction, shall be punished by a fine
16 not exceeding twenty-five dollars.

17 [~~5. The commission shall maintain rules and regulations for the~~
18 ~~payment by tenants of utility bills for water service in a multiple~~
19 ~~dwelling to which this section applies where the owner of any such~~
20 ~~multiple dwelling, or the person, firm or corporation to whom or which~~
21 ~~the last preceding bill has been rendered or from whom or which the~~
22 ~~utility has received payment therefore, has failed to pay such utility~~
23 ~~bills. Such rules and regulations shall (i) provide that utility service~~
24 ~~may not be discontinued to any such multiple dwelling as long as the~~
25 ~~tenants continue to make timely payments in accordance with established~~
26 ~~procedures; (ii) include designation of an office to advise tenants of~~
27 ~~the rights and procedures available pursuant to such rules and regu-~~
28 ~~lations; (iii) assure that tenants shall not be liable for bills more~~
29 ~~than two months in arrears; and (iv) require the commission upon peti-~~
30 ~~tion of twenty-five percent of the tenants of such multiple dwelling to~~
31 ~~meet with representatives of such tenants and the owner, person, firm or~~
32 ~~corporation to whom or which the last preceding bill has been rendered~~
33 ~~or from whom or which the utility has received payment therefore.]~~

34 § 4. This act shall take effect on the ninetieth day after it shall
35 have become a law.