STATE OF NEW YORK

10798

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. BENEDETTO -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property law, in relation to the recovery of attorneys' fees in the event of certain default judgments where a tenant is a dwelling unit owner or shareholder of a cooperative housing corporation

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

Section 1. Subdivision 2 of section 234 of the real property law, as added by chapter 789 of the laws of 2021, is amended to read as follows:

2. Notwithstanding the provisions of subdivision one of this section, where a tenant is a dwelling unit owner or shareholder of a cooperative housing corporation, [~~other than a cooperative housing corporation subject to the provisions of article two, article four, article five or article eleven of the private housing finance law,~~] attorney's fees may be awarded to either party in the event of default judgment if recovery of attorney's fees is provided for in the proprietary lease or occupancy agreement.

§ 2. This act shall take effect immediately.

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

LBD15334-01-6