

# STATE OF NEW YORK

10799

## 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 actions and proceedings law, in  
relation to the recovery of fees in certain summary proceedings  
between a cooperative housing corporation and a shareholder or occu-  
pant of such corporation

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

- 1 Section 1. Subdivision 2 of section 702 of the real property actions  
2 and proceedings law, as added by chapter 789 of the laws of 2021, is  
3 amended to read as follows:  
4 2. This section shall not apply to a summary proceeding in which the  
5 parties are a cooperative housing corporation~~[, other than a cooperative~~  
6 ~~housing corporation subject to the provisions of article two, article~~  
7 ~~four, article five or article eleven of the private housing finance law,~~  
8 ~~and a tenant who is]~~ and a shareholder or occupant of a dwelling unit  
9 ~~[owner or shareholder]~~ of such corporation, provided that the proprie-  
10 tary lease or occupancy agreement between the cooperative housing corpo-  
11 ration and the [~~tenant~~] shareholder or occupant provides for fees, legal  
12 fees, charges, surcharges, penalties or assessments other than rent to  
13 be recoverable in such a proceeding.  
14 § 2. This act shall take effect immediately.

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

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