

STATE OF NEW YORK

1622

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Housing

AN ACT to amend the emergency tenant protection act of nineteen seven-
ty-four and the administrative code of the city of New York, in
relation to leasing to business and other entities

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

1 Section 1. Section 4 of chapter 576 of the laws of 1974 constituting
2 the emergency tenant protection act of nineteen seventy-four is amended
3 by adding a new section 5-b to read as follows:

4 § 5-b. Tenancy. Notwithstanding any inconsistent provision of this act
5 or the provisions of any contract, lease or rental agreement, no owner
6 or any agent thereof shall enter into a lease, or other rental agreement
7 for occupancy of a vacant housing accommodation subject to this act if
8 the owner or any agent thereof has reason to know that the tenant will
9 not occupy the housing accommodation as the tenant's primary residence,
10 or the tenant is a corporation, partnership, or other business or not-
11 for-profit entity, provided, however, if the tenant (i) is a not-for-
12 profit corporation, pursuant to the not-for-profit corporation law, that
13 is solely engaged in activities to provide housing and additional
14 support services, if any, to low-income or vulnerable members of the
15 population, as determined by the commissioner of the division of housing
16 and community renewal, or (ii) is a corporation, partnership or other
17 business that is providing an officer, partner, employee or other
18 natural person participating in the day-to-day operations with a dwell-
19 ing unit, which shall be occupied as the individual's primary residence,
20 an owner or agent thereof may enter into a lease, or other rental agree-
21 ment for occupancy of a vacant housing accommodation subject to this
22 act.

23 § 2. Clause (i) of paragraph 3 of subdivision a of section 12 of
24 section 4 of chapter 576 of the laws of 1974 constituting the emergency

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

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1 tenant protection act of nineteen seventy-four, as amended by section 27
2 of part A of chapter 20 of the laws of 2015, is amended to read as
3 follows:

4 (i) to have violated an order of the division or section five-b of
5 this act the commissioner may impose by administrative order after hear-
6 ing, a civil penalty at minimum in the amount of one thousand but not to
7 exceed two thousand dollars for the first such offense, and at minimum
8 in the amount of two thousand but not to exceed three thousand dollars
9 for each subsequent offense; or

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

12 h. Notwithstanding any inconsistent provision of law or the provisions
13 of any contract, lease or rental agreement, no owner or any agent there-
14 of shall enter into a lease, or other rental agreement for occupancy of
15 a vacant housing accommodation subject to this chapter if the owner or
16 any agent thereof has reason to know that the tenant will not occupy the
17 housing accommodation as the tenant's primary residence, or the tenant
18 is a corporation, partnership, or other business or not-for-profit enti-
19 ty, provided, however, if the tenant (i) is a not-for-profit corpo-
20 ration, pursuant to the not-for-profit corporation law, that is solely
21 engaged in activities to provide housing and additional support
22 services, if any, to low-income or vulnerable members of the population,
23 as determined by the commissioner of the division of housing and commu-
24 nity renewal, or (ii) is a corporation, partnership or other business
25 that is providing an officer, partner, employee or other natural person
26 participating in the day-to-day operations with a dwelling unit, which
27 shall be occupied as the individual's primary residence, an owner or
28 agent thereof may enter into a lease, or other rental agreement for
29 occupancy of a vacant housing accommodation subject to this chapter.

30 § 4. Paragraph 1 of subdivision c of section 26-516 of the administra-
31 tive code of the city of New York, as amended by section 23 of part A of
32 chapter 20 of the laws of 2015, is amended to read as follows:

33 (1) to have violated an order of the division or subdivision h of
34 section 26-512 of this chapter the commissioner may impose by adminis-
35 trative order after hearing, a civil penalty at minimum in the amount of
36 one thousand but not to exceed two thousand dollars for the first such
37 offense, and at a minimum in the amount of two thousand but not to
38 exceed three thousand dollars for each subsequent offense; or

39 § 5. Severability. If any provision of this act, or any application of
40 any provision of this act, is held to be invalid, that shall not affect
41 the validity or effectiveness of any other provision of this act, any
42 other application of any provision of this act, or any other provision
43 of any law or code amended by this act.

44 § 6. This act shall take effect on the sixtieth day after it shall
45 have become a law; provided that, the amendments to sections 26-512 and
46 26-516 of the administrative code of the city of New York made by
47 sections three and four of this act shall expire on the same date as
48 such sections expire and shall not affect the expiration of such
49 sections as provided in section 26-520 of such code.