

STATE OF NEW YORK

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2025-2026 Regular Sessions

IN ASSEMBLY

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Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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-l 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.

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

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

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

(a) Such notice shall be served personally on the owner of the premises affected, or in lieu thereof, to the person, firm, or corporation to whom or which the last preceding bill has been rendered and from whom or which the utility has received payment therefor, and to the superintendent or other person in charge of the building or premises affected, if it can be readily ascertained that there is such superintendent or other person in charge.

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

(c) In addition to the notice prescribed by paragraph (a) or (b) of this subdivision, fifteen days written notice shall be (i) posted in the public areas of such multiple dwelling, (ii) mailed to the "Occupant" of each unit in that multiple dwelling, (iii) mailed to the local health officer and the director of the social services district for the political subdivision in which the multiple dwelling is located, (iv) if the multiple dwelling is located in a city or a village, mailed to the mayor thereof, or if there be none, to the manager, or, if the multiple dwelling is located in a town, then mailed to the town supervisor, (v) mailed to the county executive of the county in which the multiple dwelling is located, or if there be none, then to the [~~chairman~~] chairperson of such county's legislative body, and (vi) mailed to the office of the New York state long term care ombudsman, if the multiple dwelling is a residential health care facility as defined in subdivision three of section twenty-eight hundred one of the public health law, an adult care facility as defined in subdivision twenty-one of section two of the social services law, or an assisted living residence as defined in subdivision one of section forty-six hundred fifty-one of the public health law as added by chapter two of the laws of two thousand four. Notice required by subparagraphs (iv) and (v) of this paragraph may be mailed to the persons specified therein or to their respective designees. The notice required by this paragraph shall state [~~the intended date of discontinuance of service,~~] the amount due for such service, and [~~the procedure by which any tenant or public agency may make such payment and thereby avoid discontinuance of service~~] that the utility will not discontinue service and shall seek the appointment of a receiver of rents or payments against the owner. The notice shall be in clear and under-

standable language and provided in any language required by the commission pursuant to section forty-four of this article, provided that any more expansive language requirement established as part of settlement with the commission or department shall be followed.

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

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

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

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

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

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

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

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

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

Such lien shall be filed in the clerk's office of the county where the property or properties are situated. If such property or prop-

1 erties are situated in two or more counties, such lien shall be
2 filed in the office of the clerk of each of such counties.

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

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

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

1 manager, or their agent. The court may order an accounting to be made at
2 such times as it determines to be just, reasonable, and necessary.

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

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

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

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

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

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

52 7. Any person who willfully interferes with the posting of the notice
53 specified in [clause] subparagraph (i) of paragraph (c) of subdivision
54 one [above], subdivision two, or in subdivision three of this section by
55 any gas, steam or electric corporation or municipality, or agent of the
56 court willfully defaces or mutilates any such notice, or willfully

removes the same from the place where it is posted by such company or court agent prior to the date specified therein for the [~~discontinuance of service~~] notice to seek lien, order to show cause, or notice of termination of receiver shall be guilty of a violation and, upon conviction, shall be punished by a fine not exceeding twenty-five dollars.

~~[5. The commission shall maintain rules and regulations for the payment by tenants of utility bills for gas, electric or steam service in a multiple dwelling to which this section applies where the owner of any such multiple dwelling, or the person, firm or corporation to whom or which the last preceding bill has been rendered or from whom or which the utility or municipality has received payment therefor, has failed to pay such utility bills. Such rules and regulations shall (a) provide that utility service may not be discontinued to any such multiple dwelling as long as the tenants continue to make timely payments in accordance with established procedures; (b) include designation of an office to advise tenants of the rights and procedures available pursuant to such rules and regulations; (c) assure that tenants shall not be liable for bills more than two months in arrears; and (d) require the commission upon petition of twenty-five percent of the tenants of such multiple dwelling to meet with representatives of such tenants and the owner, person, firm or corporation to whom or which the last preceding bill has been rendered or from whom or which the utility has received payment therefor.]~~

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

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

(a) Such notice shall be served personally on the owner of the premises affected, or in lieu thereof, to the person, firm, or corporation to whom or which the last preceding bill has been rendered and from whom or which the utility has received payment therefor, and to the superintendent or other person in charge of the building or premises affected, if it can be readily ascertained that there is such superintendent or other person in charge.

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

(c) In addition to the notice prescribed by paragraph (a) or (b) [~~above~~] of this subdivision, fifteen days' written notice shall be (i) posted in the public areas of such multiple dwelling, (ii) mailed to the "Occupant" of each unit in that multiple dwelling, (iii) mailed to the

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

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

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

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

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

1 manager, or agent to repay the amounts due the petitioning utility
2 corporation within a time fixed by the court. If at the time fixed in
3 the order the amounts have not been repaid, the court shall appoint such
4 receiver. Such lien shall include:

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

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

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

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

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

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

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

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

53 (e) The owner or their agent shall be liable for reasonable fees and
54 costs determined by the court to be due to the receiver, such fees and
55 costs may be recovered from the rents or payments for use and occupancy
56 under the control of the receiver, provided no such fees or costs shall

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

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

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

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

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

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

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

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

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

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