

STATE OF NEW YORK

9019

2025-2026 Regular Sessions

IN ASSEMBLY

September 5, 2025

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, and the real property law, in relation to establishing an annual income eligibility limit for certain elected officials residing in rent stabilized housing

The People of the State of New York, represented in Senate and Assembly, 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-a to read as follows:

4 § 5-a. Income eligibility for certain public officers. a. For the
5 purposes of this section, the following terms shall have the following
6 meanings:

7 (1) "Annual gross income" shall mean the total income from all sources,
8 before taxes of all occupants eighteen years of age or older who use
9 the housing accommodation as their primary residence.

10 (2) "Commissioner" shall mean the commissioner of the division of
11 housing and community renewal and any successor thereto.

12 (3) "Division" shall mean the division of housing and community
13 renewal and any successor thereto.

14 b. Notwithstanding any other provision of law, no housing accommo-
15 dation subject to this law shall be offered or continued as a tenancy to
16 any person serving as the mayor of the city of New York if the combined
17 annual gross income of all persons residing in such accommodation is two
18 hundred fifty-eight thousand dollars or more, as verified pursuant to
19 subdivision c of this section.

20 c. The owner shall require, and the tenant shall provide, annual
21 income certification to the division in such form and manner as the
22 commissioner shall prescribe. The division shall promulgate rules to

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

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1 verify reported income, including, but not limited to cross-referencing
2 state tax records.

3 d. Any person who knowingly makes a false statement in an income
4 certification under this section shall be subject to a civil penalty of
5 not more than ten thousand dollars, in addition to any other penalties
6 provided by law.

7 § 2. The real property law is amended by adding a new section 235-k to
8 read as follows:

9 § 235-k. Lease terminations for ineligible tenants in rent stabilized
10 housing. 1. A landlord may commence a special proceeding pursuant to
11 article seven of the real property actions and proceedings law to
12 recover possession of a housing accommodation subject to rent stabiliza-
13 tion where the household income exceeds the limit set forth in section
14 five-a of section four of chapter five hundred seventy-six of the laws
15 of nineteen seventy-four constituting the emergency tenant protection
16 act of nineteen seventy-four.

17 2. Proceedings under this section shall be given preference in the
18 scheduling of the court.

19 § 3. This act shall take effect on the first of January next succeed-
20 ing the date on which it shall have become a law, provided, however,
21 that the division of housing and community renewal shall promulgate
22 rules and regulations necessary to implement this act no later than
23 ninety days after it shall have become a law.