

STATE OF NEW YORK

9275

2025-2026 Regular Sessions

IN ASSEMBLY

November 21, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to protecting tenants whose landlord failed to timely pay utility payments

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

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

5 § 33. Discontinuance of residential utility service to multiple dwell-
6 ings. 1. Notwithstanding any other provisions of law, no public utility
7 company or municipality shall discontinue gas, electric or steam service
8 to an entire multiple dwelling (as defined in the multiple dwelling law
9 or the multiple residence law) located anywhere in this state for
10 nonpayment of bills rendered for service unless such utility shall have
11 given [~~fifteen~~] a minimum of forty-five days written notice of its
12 intention so to discontinue as follows:

13 (a) Such notice shall be served personally on the owner of the prem-
14 ises affected, or in lieu thereof, to the person, firm, or corporation
15 to whom or which the last preceding bill has been rendered and from whom
16 or which the utility has received payment therefor, and to the super-
17 intendent or other person in charge of the building or premises
18 affected, if it can be readily ascertained that there is such super-
19 intendent or other person in charge.

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

24 (c) In addition to the notice prescribed by paragraph (a) or (b) of
25 this subdivision, [~~fifteen~~] a minimum of forty-five days written notice

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

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1 shall be (i) posted in the public areas of such multiple dwelling every
2 fifteen days, (ii) mailed to the "Occupant" of each unit in that multi-
3 ple dwelling a minimum of three times every fifteen days at least
4 forty-five days before a scheduled termination, (iii) mailed to the
5 local health officer and the director of the social services district
6 for the political subdivision in which the multiple dwelling is located,
7 (iv) if the multiple dwelling is located in a city or a village, mailed
8 to the mayor thereof, or if there be none, to the manager, or, if the
9 multiple dwelling is located in a town, then mailed to the town supervi-
10 sor, (v) mailed to the county executive of the county in which the
11 multiple dwelling is located, or if there be none, then to the [~~chair-~~
12 ~~man~~] chairperson of such county's legislative body, (vi) mailed to the
13 town supervisor and the town clerk of the town in which the multiple
14 dwelling is located, (vii) mailed to the state elected assembly and
15 senate district offices in which district the building is located and
16 [~~(vi)~~] (viii) mailed to the office of the New York state long term care
17 ombudsman, if the multiple dwelling is a residential health care facili-
18 ty as defined in subdivision three of section twenty-eight hundred one
19 of the public health law, an adult care facility as defined in subdivi-
20 sion twenty-one of section two of the social services law, or an
21 assisted living residence as defined in subdivision one of section
22 forty-six hundred fifty-one of the public health law as added by chapter
23 two of the laws of two thousand four. Notice required by subparagraphs
24 (iv) [~~and~~], (v), (vi) and (vii) of this paragraph may be mailed to the
25 persons specified therein or to their respective designees. The notice
26 required by this paragraph shall state the intended date of discontin-
27 uance of service, the amount due for such service, and the procedure by
28 which any tenant or public agency may make such payment and thereby
29 avoid discontinuance of service.

30 (d) Go door to door a minimum of three times in such building and
31 provide in-person notice to all residents no later than sixty days prior
32 to such termination and provide certified documentation that such
33 in-person notification was provided.

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

37 (f) A utility shall attempt to call or email the owner of the premises
38 affected a minimum of five times.

39 (g) If the owner of an affected premises cannot be found such utility
40 shall search at least three publicly accessible records to locate the
41 owner of such affected premises or the attorney for the owner which
42 shall include but not be limited to:

43 (i) the New York State eCourts system;

44 (ii) the automated city register information system;

45 (iii) local landlord registry portals; and

46 (iv) the New York state division of housing and community renewal
47 annual registry.

48 (h) A utility shall post its efforts to comply with the provisions of
49 this subdivision on its online public facing website, where it shall
50 have dedicated and specific information online for each specific build-
51 ing pursuant to section thirty-three-a of this article.

52 1-a. Whenever a notice of intention to discontinue utility service has
53 been made pursuant to the provisions of this section and obligations
54 owed the utility or municipality have been satisfied, the utility or
55 municipality shall notify, in the same manner as it gave such notice of

1 intention, the occupant of each unit that the intention to discontinue
2 utility service no longer exists.

3 1-b. The forty-five-day timeline to discontinue gas, electric or steam
4 service shall not start until a public utility company or municipality
5 complies with paragraphs (a), (b), (g) and (h) of subdivision one of
6 this section.

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

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

33 4. Any person who willfully interferes with the posting of the notice
34 specified in [~~clause~~] subparagraph (i) of paragraph (c) of subdivision
35 one [~~above~~] of this section by any gas, steam or electric corporation or
36 municipality, willfully defaces or mutilates any such notice, or will-
37 fully removes the same from the place where it is posted by such company
38 prior to the date specified therein for the discontinuance of service
39 shall be guilty of a violation and, upon conviction, shall be punished
40 by a fine not exceeding [~~twenty-five~~] one hundred dollars. If such
41 notice has been tampered with, customers shall be provided with an
42 extension of at least fifteen days before termination.

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

1 tenants of such multiple dwelling to meet with representatives of such
2 tenants and the owner, person, firm or corporation to whom or which the
3 last preceding bill has been rendered or from whom or which the utility
4 has received payment therefor.

5 6. (a) The commission shall create a standard form for complaints that
6 tenants shall utilize to advise the commission that a gas, electric or
7 steam service in a multiple dwelling is failing to comply with the
8 provisions of this section.

9 (b) The commission upon receiving a complaint pursuant to paragraph
10 (a) of this subdivision shall initiate an investigation to determine if
11 a gas, electric or steam service in a multiple dwelling violated the
12 provisions of this section. A gas, electric or steam service in a multi-
13 ple dwelling shall be prohibited from discontinuing such services during
14 the pendency of such investigation.

15 7. (a) A tenant shall have a cause of action against a utility who
16 fails to comply with the provisions of subdivisions one and one-b of
17 this section.

18 (b) If any action is commenced pursuant to paragraph (a) of this
19 subdivision, the finder of fact, in its discretion, may award injunctive
20 relief preventing the termination of such gas, electric or steam service
21 for failing to act with due diligence to such tenants.

22 § 2. Subdivision 1 of section 37 of the public service law, as amended
23 by chapter 686 of the laws of 2002, is amended to read as follows:

24 1. No utility corporation or municipality shall terminate or refuse to
25 take all actions within such corporation or municipality's control and,
26 where applicable, consistent with the provisions of the agreement for
27 commodity service, if any, between the corporation and the customer,
28 provided such provisions are consistent with this article, to restore
29 service to a residential customer or landlord of a multiple dwelling (as
30 defined in the multiple dwelling law or the multiple residence law),
31 because of arrears owed the utility corporation or municipality, unless
32 the utility or municipality offers such customer a deferred payment
33 agreement for such arrears; provided, however, that a deferred payment
34 agreement under this article shall not be available to any customer who
35 the commission determines has the resources available to pay [~~his~~] such
36 customer's bill, and provided further, however, that any such agreement
37 may provide for the customer to make a downpayment of the arrears,
38 provided that no such downpayment shall exceed one-half of the amount of
39 arrears or three months average billing, whichever is less. In addition,
40 the commission shall provide by regulation that (a) all deferred payment
41 agreements authorized by this article be fair and equitable, considering
42 the customer's financial circumstances; (b) that such agreements obli-
43 gate customers to make timely payment of current charges for service
44 together with payment of arrears during the pendency of the agreements;
45 that such agreements may be renegotiated and amended where the customer
46 can demonstrate that there have been significant changes in [~~his or her~~]
47 such customer's financial circumstances which have arisen due to condi-
48 tions beyond the customer's control, and that, if the customer receives
49 a utility service by the receipt of portions of such service from each
50 of two or more utility corporations and is billed for such service
51 through a single bill, the payments pursuant to the deferred payment
52 agreement for current charges shall be allocated to each such utility
53 corporation based on the current charges owing to each and the payments
54 for arrears shall be allocated equitably on a pro-rata basis between
55 such utility corporations based on the amount of arrears owing to each.

1 § 3. The public service law is amended by adding a new section 33-a to
2 read as follows:

3 § 33-a. Limited access to utility service status for residents of
4 multiple dwellings. 1. Notwithstanding any other provision of law, each
5 public utility company or municipality providing gas, electric or steam
6 service to a multiple dwelling shall be authorized to provide to any
7 occupant of such multiple dwelling, upon request, the following informa-
8 tion:

9 (a) in the event a utility company prepares a termination notice for a
10 multiple dwelling account held by a landlord, such utility shall provide
11 information whether the same landlord owns or manages any other multiple
12 dwelling accounts within its service territory;

13 (b) whether the utility account associated with such multiple dwelling
14 is current or at risk of discontinuance due to nonpayment;

15 (c) the scheduled date, if any, for the discontinuance of such service
16 pursuant to section thirty-three of this article;

17 (d) copies of any written notice required under section thirty-three
18 of this article that was posted or mailed to the multiple dwelling; and

19 (e) if the utility account is no longer at risk of termination as the
20 matter is now resolved.

21 2. A utility company or municipality providing the information
22 described in subdivision one of this section shall not be deemed to have
23 breached any confidentiality obligation or privacy requirement applica-
24 ble to utility account information, provided that no information identi-
25 fying the account holder or account number shall be disclosed.

26 3. Each utility shall designate an employee within its customer
27 service department to serve as point-of-contact for tenants of multiple
28 dwellings subject to subdivision one of this section. The utility shall
29 post the contact information for such employee in a conspicuous location
30 within the public areas of any such multiple dwelling for which service
31 is at risk of discontinuance.

32 4. The commission shall prescribe any rules and regulations necessary
33 for the implementation of this section.

34 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
35 sion, section or part of this act shall be adjudged by any court of
36 competent jurisdiction to be invalid, such judgment shall not affect,
37 impair, or invalidate the remainder thereof, but shall be confined in
38 its operation to the clause, sentence, paragraph, subdivision, section
39 or part thereof directly involved in the controversy in which such judg-
40 ment shall have been rendered. It is hereby declared to be the intent of
41 the legislature that this act would have been enacted even if such
42 invalid provisions had not been included herein.

43 § 5. This act shall take effect on the one hundred twentieth day after
44 it shall have become a law. Effective immediately, the addition, amend-
45 ment and/or repeal of any rule or regulation necessary for the implemen-
46 tation of this act on its effective date are authorized to be made or
47 completed on or before such date.