

STATE OF NEW YORK

7046

2025-2026 Regular Sessions

IN SENATE

March 31, 2025

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the real property actions and proceedings law, in relation to reducing the period of notice required to be given when a written demand for rent is served on a tenant after the tenant has defaulted in the payment of rent and the period of notice to be given serving a warrant issued pursuant to a final judgment of eviction from fourteen days to seven days

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

1 Section 1. Subdivision 2 of section 711 of the real property actions
2 and proceedings law, as amended by section 4 of part HH of chapter 56 of
3 the laws of 2024, is amended to read as follows:
4 2. The tenant has defaulted in the payment of rent, pursuant to the
5 agreement under which the premises are held, and a written demand of the
6 rent has been made with at least [~~fourteen~~] seven days' notice requir-
7 ing, in the alternative, the payment of the rent, or the possession of
8 the premises, has been served upon the tenant as prescribed in section
9 seven hundred thirty-five of this article. The [~~fourteen-day~~] seven-day
10 notice shall append or contain the notice required pursuant to section
11 two hundred thirty-one-c of the real property law, which shall state the
12 following: (i) if the premises are or are not subject to article six-A
13 of the real property law, the "good cause eviction law", and if the
14 premises are exempt, such notice shall state why the premises are exempt
15 from such law; (ii) if the landlord is not renewing the lease for a unit
16 subject to article six-A of the real property law, the lawful basis for
17 such non-renewal; and (iii) if the landlord is increasing the rent upon
18 an existing lease of a unit subject to article six-A of the real proper-
19 ty law above the applicable local rent standard, as defined in subdivi-
20 sion eight of section two hundred eleven of the real property law, the

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

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1 justification for such increase. Any person succeeding to the landlord's
2 interest in the premises may proceed under this subdivision for rent due
3 such person's predecessor in interest if such person has a right there-
4 to. Where a tenant dies during the term of the lease and rent due has
5 not been paid and the apartment is occupied by a person with a claim to
6 possession, a proceeding may be commenced naming the occupants of the
7 apartment seeking a possessory judgment only as against the estate.
8 Entry of such a judgment shall be without prejudice to the possessory
9 claims of the occupants, and any warrant issued shall not be effective
10 as against the occupants.

11 § 2. Subdivision 2 of section 711 of the real property actions and
12 proceedings law, as amended by section 12 of part M of chapter 36 of the
13 laws of 2019, is amended to read as follows:

14 2. The tenant has defaulted in the payment of rent, pursuant to the
15 agreement under which the premises are held, and a written demand of the
16 rent has been made with at least [~~fourteen~~] seven days' notice requir-
17 ing, in the alternative, the payment of the rent, or the possession of
18 the premises, has been served upon [~~him~~] the tenant as prescribed in
19 section seven hundred thirty-five of this article. Any person succeeding
20 to the landlord's interest in the premises may proceed under this subdivi-
21 sion for rent due [~~his~~] such person's predecessor in interest if [~~he~~]
22 such person has a right thereto. Where a tenant dies during the term of
23 the lease and rent due has not been paid and the apartment is occupied
24 by a person with a claim to possession, a proceeding may be commenced
25 naming the occupants of the apartment seeking a possessory judgment only
26 as against the estate. Entry of such a judgment shall be without preju-
27 dice to the possessory claims of the occupants, and any warrant issued
28 shall not be effective as against the occupants.

29 § 3. Paragraph (a) of subdivision 2 of section 749 of the real proper-
30 ty actions and proceedings law, as amended by section 19 of part M of
31 chapter 36 of the laws of 2019, is amended to read as follows:

32 (a) The officer to whom the warrant is directed and delivered shall
33 give at least [~~fourteen~~] seven days' notice, in writing and in the
34 manner prescribed in this article for the service of a notice of peti-
35 tion, to the person or persons to be evicted or dispossessed and shall
36 execute the warrant on a business day between the hours of sunrise and
37 sunset.

38 § 4. This act shall take effect immediately and shall apply to actions
39 and proceedings commenced on or after such effective date; provided,
40 however, that section one of this act shall be subject to the expiration
41 and reversion of such subdivision pursuant to section 7 of part HH of
42 chapter 56 of the laws of 2024, as amended, when upon such date the
43 provisions of section two of this act shall take effect.