STATE OF NEW YORK

8046

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. BYNOE -- 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 emergency tenant protection act of nineteen seventy-four, in relation to audits of individual apartment improvements in rent regulated units

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

Section 1. Subdivision (c) of section 10-b of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as added by section 6 of part K of chapter 36 of the laws of 2019, is amended to read as follows:

(c) **The division shall establish, for units not subject to the New York city rent stabilization law of nineteen hundred sixty-nine, an annual inspection and audit process which shall review five percent of individual apartment improvement notifications pursuant to this section and the rules and regulations of the division. Such process shall include individual inspections and document review to ensure that owners complied with all obligations and responsibilities under the law for individual apartment improvements. Inspections shall include in-person confirmation that such improvements have been completed in such way as described in the notification.**

(d) The division shall issue a notice to the landlord and all the tenants sixty days prior to the end of the temporary major capital improvement increase and shall include the initial approved increase and the total amount to be removed from the legal regulated rent inclusive of any increases granted by the applicable rent guidelines board.

§ 2. Subdivision a of section 12 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new paragraph 1-a to read as follows:

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

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(1-a) If the owner is found by the commissioner to have willfully overcharged in association with an individual apartment improvement or major capital improvement as a result of the conclusion of an audit pursuant to subdivision (c) of section ten-b of this act, the division shall conduct additional audits of all rent stabilized units under their ownership in addition to the penalties prescribed by this section.

§ 3. This act shall take effect immediately.