STATE OF NEW YORK

9346

IN SENATE

March 3, 2026

Introduced by Sen. PARKER -- 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 law, in relation to enacting the "housing transparency act"

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

Section 1. Short title. This act shall be known and may be cited as the "housing transparency act".

§ 2. Legislative findings. The legislature finds and declares that:

1. New York state is experiencing significant housing challenges, including limited housing supply, inconsistent reporting of rental unit occupancy status, and a lack of access to information regarding building code compliance and habitability standards;

2. While existing state and local laws require compliance with building, fire, and housing codes, there is no consistent statewide mechanism for reporting the occupancy or vacancy status of rental units, nor a centralized system to provide public transparency regarding compliance certification prior to and following tenant occupancy;

3. The absence of consistent reporting and transparency impedes accurate housing supply data, complicates enforcement of habitability standards, and limits tenants' ability to make informed decisions;

4. The improvement of transparency in rental housing reporting, while respecting local enforcement authority and protecting personal privacy, serves a legitimate public purpose by enhancing housing stability, promoting safe, habitable living conditions, and supporting data-informed public policy decision making;

5. Nothing in this act shall be construed to supersede or preempt local building, fire, or housing codes, but rather to supplement existing enforcement mechanisms through standardized reporting and administrative coordination;

6. The legislature recognizes the importance of small property owners in maintaining affordable housing and intends to implement this act to minimize undue administrative burden; and

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

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7. Reliable and accessible housing data is necessary to ensure the integrity of rental markets, prevent prolonged vacancy of habitable units, and promote public confidence in housing administration.

§ 3. The real property law is amended by adding a new article 7-B to read as follows:

ARTICLE 7-B

HOUSING TRANSPARENCY ACT

Section 239-m. Definitions.
239-n. Establishment of rental unit compliance registry.
239-o. Pre-occupancy and turnover certification.
239-p. Voluntary tenant occupancy reporting.
239-q. Lease term election requirements.
239-r. Enforcement and penalties.
239-s. Privacy and data protection.
239-t. Application and report.

§ 239-m. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "rental unit" shall mean any dwelling unit as defined in the multiple dwelling law that is leased, rented, or otherwise occupied pursuant to a rental agreement for residential purposes, excluding owner-occupied buildings and one and two-family dwellings;

2. "covered building" shall mean any residential building containing more than two rental units;

3. "owner" shall mean any person, firm, partnership, corporation, limited liability company, or other entity holding legal title to the covered building, or any agent thereof authorized to collect rent or manage the property;

4. "occupancy status" shall mean whether a rental unit is:

(a) occupied pursuant to a lease or rental agreement;

(b) vacant and available for rent;

(c) vacant and temporarily unavailable for rent due to repairs or renovations; or

(d) otherwise not lawfully habitable pursuant to a government order;

5. "pre-occupancy compliance certification" shall mean a written certification by the owner that the rental unit is in compliance with applicable state and local building, fire, and housing maintenance codes at the time of lease commencement;

6. "turnover certification" shall mean a written certification submitted by the owner following the termination of a tenancy, indicating the condition of the rental unit and any outstanding violations;

7. "division" shall mean the division of housing and community renewal; and

8. "small property owner" shall mean an owner of a building containing no more than three rental units, where such owner does not own more than one covered building within the state.

§ 239-n. Establishment of rental unit compliance registry. 1. Within one year of the effective date of this article, the division shall establish and maintain a statewide rental unit compliance registry for covered buildings within the state.

2. Each owner of a covered building shall register annually with the division in a manner prescribed by regulation. Such registration shall include:

(a) the address of the covered building;

(b) the total number of rental units in such covered building;

(c) the occupancy status of each unit;

(d) the date of the most recent inspection conducted by a government entity;

(e) the existence of any open housing, building, or fire violations; and

(f) certification that each occupied rental unit complies with applicable habitability requirements.

3. The division shall make registry information publicly accessible through an online portal.

4. The division shall coordinate with local code enforcement agencies to the extent it is practicable to promote administrative efficiency and avoid duplicate reporting.

5. The division is authorized to promulgate such rules and regulations as may be necessary to implement the provisions of this article.

§ 239-o. Pre-occupancy and turnover certification. 1. Prior to the commencement of any new tenancy in a covered building, the owner shall file with the division a pre-occupancy compliance certification affirming that:

(a) the rental unit is free from hazardous violations as defined by applicable state or local laws;

(b) all smoke detection and carbon monoxide detection devices required by law are installed and functioning;

(c) no outstanding vacate order or condemnation order applies to the unit; and

(d) the unit is in compliance with the warranty of habitability pursuant to section two hundred thirty-five-b of this chapter.

2. A copy of such certification shall be provided to the tenant at or before the lease signing.

3. Within thirty days following the termination of a tenancy, the owner shall submit to the division a turnover certification indicating:

(a) whether the unit is vacant and available to rent;

(b) whether the unit is undergoing repair or renovation; and

(c) the correction status of any violations issued during the prior tenancy.

4. Nothing in this section shall require an additional governmental inspection where none is otherwise required by law.

§ 239-p. Voluntary tenant occupancy reporting. 1. The division shall establish a secure mechanism by which tenants of covered buildings may voluntarily submit information confirming:

(a) occupancy of a rental unit;

(b) the existence of a written or oral rental agreement; and

(c) concerns regarding noncompliance with occupancy reporting requirements.

2. No owner shall take adverse action against a tenant for submitting information pursuant to this section. Any such action shall constitute retaliation under section two hundred twenty-three-b of this chapter.

3. Information submitted by tenants shall not be publicly disclosed and shall be used solely for administrative verification and enforcement purposes.

4. Submission of information by a tenant shall not constitute an alteration of the terms of any lease, tenancy, or lawful occupancy status.

§ 239-q. Lease term election requirements. 1. For a covered building, an owner shall, at the commencement of a new tenancy occurring on and after the effective date of this section, offer the prospective tenant the option of entering into a:

(a) lease term of not less than six months;

(b) lease term of twelve months; or
(c) lease term of twenty-four months.
2. Nothing in this section shall prohibit an owner from establishing differing rental rates for differing lease durations, provided such rates comply with applicable law.
3. This section shall not apply to:
(a) small property owners;
(b) owner-occupied buildings containing less than three units; and
(c) temporary housing accommodations intended for occupancy of less than six months.
§ 239-r. Enforcement and penalties. 1. The division shall have authority to enforce the provisions of this article and may conduct audits of registry submissions to ensure compliance.
2. (a) An owner who fails to file required registration information or certifications pursuant to this article shall be subject to a civil penalty not to exceed five hundred dollars per unit per year of noncompliance.
(b) An owner who knowingly submits materially false information shall be subject to a civil penalty not to exceed one thousand dollars per unit per violation.
3. Prior to the imposition of any civil penalty, the division shall provide written notice of noncompliance and allow the owner thirty days to cure such deficiency.
4. No owner of a covered building shall be eligible to implement a rent increase otherwise permitted by law for any rental unit that:
(a) has not submitted a required pre-occupancy or annual compliance certification;
(b) has an outstanding hazardous violation as defined by applicable state and local code; or
(c) is not properly registered in the rental unit compliance registry pursuant to this article.
5. The division may refer cases involving repeated or willful violations to the office of the attorney general for further enforcement action.
§ 239-s. Privacy and data protection. 1. The division shall not disclose personally identifiable information of tenants collected pursuant to this article.
2. The division shall implement reasonable administrative, technical, and physical safeguards to protect confidential information.
3. Information collected pursuant to this article shall be solely for housing administration, compliance verification, public reporting, and enforcement purposes.
§ 239-t. Application and report. 1. Beginning two years after the effective date of this article, the provisions of this article shall apply to owners of covered buildings containing twenty or more rental units.
2. Beginning three years after the effective date of this article, the provisions of this article shall apply to owners of covered buildings containing between six and nineteen rental units.
3. Beginning four years after the effective date of this article, the provisions of this article shall apply to all owners of covered buildings.
4. Beginning four years after the effective date of this article, the division shall issue a report to the legislature on the implementation of this article including but not limited to the compliance rate and administrative impact of this article.

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

§ 5. This act shall take effect eighteen months after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.