

# STATE OF NEW YORK

9914

## IN SENATE

April 14, 2026

Introduced by Sen. KRUEGER -- 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 administrative code of the city of New York, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to requiring property owners to dedicate certain residential units to the same protected status the unit previously held following demolition and new construction or substantial renovation

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

1 Section 1. Section 26-512 of the administrative code of the city of  
2 New York is amended by adding a new subdivision h to read as follows:

3 h. Notwithstanding any provision of law, rule or regulation to the  
4 contrary, if all or a portion of the rent controlled or rent stabilized  
5 housing accommodation protected by the emergency tenant protection act  
6 of nineteen seventy-four, the emergency housing rent control law, the  
7 local emergency housing rent control act, the administrative code of  
8 the city of New York and any regulations, rules and policies enacted  
9 pursuant thereto, in a residential building are rendered uninhabitable  
10 or are vacated due to demolition and new construction or to substantial  
11 renovation conducted by or on behalf of the property owner under any of  
12 the following circumstances, the property owner shall, upon completion  
13 of the new construction or renovation of the building, dedicate an equal  
14 number of units, of sizes equivalent to those vacated or rendered  
15 uninhabitable, at the rent amount allowable for the units existing  
16 prior to the demolition or renovation to the same status the unit  
17 previously held as rent controlled or rent stabilized housing accommo-  
18 dation protected by the emergency tenant protection act of nineteen  
19 seventy-four, the emergency housing rent control law, the local emer-  
20 gency housing rent control act, the administrative code of the city  
21 of New York and any regulations, rules and policies enacted pursuant  
22 thereto. The tenant or tenants in possession immediately prior to such

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

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1 demolition or substantial renovation shall have the right of first  
2 refusal for the occupation of such units:

3 (1) demolition or substantial renovation conducted after the property  
4 owner filed an application for a building permit with the department of  
5 buildings falsely reporting that no tenants occupied the building  
6 proposed for demolition or substantial renovation, when tenants, in  
7 fact, did occupy the building; or

8 (2) demolition or substantial renovation necessitated due to the  
9 negligence of the owner and/or landlord; or

10 (3) demolition or substantial renovation necessitated by illegal code  
11 violations; or

12 (4) demolition or substantial renovation authorized pursuant to a  
13 project as defined by section three of the urban development corporation  
14 act.

15 § 2. Section 6 of section 4 of chapter 576 of the laws of 1974,  
16 constituting the emergency tenant protection act of nineteen seventy-  
17 four, is amended by adding a new subdivision h to read as follows:

18 h. Notwithstanding any provision of law, rule or regulation to the  
19 contrary, if all or a portion of the rent controlled or rent stabilized  
20 housing accommodation protected by the emergency tenant protection act  
21 of nineteen seventy-four, the emergency housing rent control law, the  
22 local emergency housing rent control act, the administrative code of  
23 the city of New York and any regulations, rules and policies enacted  
24 pursuant thereto, in a residential building are rendered uninhabitable  
25 or are vacated due to demolition and new construction or to substantial  
26 renovation conducted by or on behalf of the property owner under any of  
27 the following circumstances:

28 (1) demolition or substantial renovation conducted after the property  
29 owner filed an application for a building permit with the department of  
30 buildings falsely reporting that no tenants occupied the building  
31 proposed for demolition or substantial renovation, when tenants, in  
32 fact, did occupy the building; or

33 (2) demolition or substantial renovation necessitated due to the  
34 negligence of the owner and/or landlord; or

35 (3) demolition or substantial renovation necessitated by illegal code  
36 violations; or

37 (4) demolition or substantial renovation authorized pursuant to a  
38 project as defined by section three of the urban development corporation  
39 act, the property owner shall, upon completion of the new construction  
40 or renovation of the building, dedicate an equal number of units, of  
41 sizes equivalent to those vacated or rendered uninhabitable, at the  
42 rent amount allowable for the units existing prior to the demo-  
43 lition or renovation to the same status the unit previously held as  
44 rent controlled or rent stabilized housing accommodation protected by  
45 the emergency tenant protection act of nineteen seventy-four, the  
46 emergency housing rent control law, the local emergency housing rent  
47 control act, the administrative code of the city of New York and  
48 any regulations, rules and policies enacted pursuant thereto. The tenant  
49 or tenants in possession immediately prior to such demolition or  
50 substantial renovation shall have the right of first refusal for the  
51 occupation of such units.

52 § 3. Section 5 of chapter 274 of the laws of 1946, constituting the  
53 emergency housing rent control law, is amended by adding a new subdivi-  
54 sion 9 to read as follows:

55 9. Notwithstanding any provision of law, rule or regulation to the  
56 contrary, if all or a portion of the rent controlled or rent stabilized

1 housing accommodation protected by the emergency tenant protection act  
2 of nineteen seventy-four, the emergency housing rent control law, the  
3 local emergency housing rent control act, the administrative code of  
4 the city of New York and any regulations, rules and policies enacted  
5 pursuant thereto, in a residential building are rendered uninhabitable  
6 or are vacated due to demolition and new construction or to substantial  
7 renovation conducted by or on behalf of the property owner under any of  
8 the following circumstances:

9 (a) demolition or substantial renovation conducted after the property  
10 owner filed an application for a building permit with the department of  
11 buildings falsely reporting that no tenants occupied the building  
12 proposed for demolition or substantial renovation, when tenants, in  
13 fact, did occupy the building; or

14 (b) demolition or substantial renovation necessitated due to the  
15 negligence of the owner and/or landlord; or

16 (c) demolition or substantial renovation necessitated by illegal code  
17 violations; or

18 (d) demolition or substantial renovation authorized pursuant to a  
19 project as defined by section three of the urban development corporation  
20 act, the property owner shall, upon completion of the new construction  
21 or renovation of the building, dedicate an equal number of units, of  
22 sizes equivalent to those vacated or rendered uninhabitable, at the  
23 rent amount allowable for the units existing prior to the demo-  
24 lition or renovation to the same status the unit previously held as  
25 rent controlled or rent stabilized housing accommodation protected by  
26 the emergency tenant protection act of nineteen seventy-four, the  
27 emergency housing rent control law, the local emergency housing rent  
28 control act, the administrative code of the city of New York and  
29 any regulations, rules and policies enacted pursuant thereto. The  
30 tenant or tenants in possession immediately prior to such demolition or  
31 substantial renovation shall have the right of first refusal for the  
32 occupation of such units.

33 § 4. This act shall take effect immediately; provided, however, that  
34 the amendments to section 26-512 of chapter 4 of title 26 of the admin-  
35 istrative code of the city of New York made by section one of this act  
36 shall expire on the same date as such law expires and shall not affect  
37 the expiration of such law as provided under section 26-520 of such law.