



NEW YORK STATE SENATOR

Jen Metzger

## Legal Services of the Hudson Valley: New Rights for Tenants

JEN METZGER September 19, 2019

| ISSUE: **HOUSING STABILITY AND TENANT PROTECTION ACT OF 2019**

Information Provided by **Legal Services of the Hudson Valley**

### New Rights for Tenants

- Landlords cannot reject tenants because they had been in a court case with a prior landlord. The courts cannot sell eviction court data. Records of evictions that were the result of a foreclosure are sealed.
- Landlords must give tenants the opportunity for a walk-through before they move in and before they move out, and return the security deposit within fourteen days with an itemized list of any deductions.
- Landlords cannot evict or otherwise penalize tenants who complain about conditions.
- Landlords must give receipts (on request for personal checks) within specific time frames and notice by certified mail when rent is not received.
- Landlords cannot charge late fees until rent is five days late and the late fee cannot be more

than \$50 or 5% of the monthly rent, whichever is less.

- A landlord must make reasonable efforts to re-rent an apartment before they can charge a former tenant who left before the end of the lease for the rent for the rest of the lease.

- Starting in October 2019, landlords must give 30, 60, or 90 days' notice of lease termination or a rent increase of 5% or more, depending on how long the tenant has lived there.

- "Self-help" eviction is a crime.

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### **New Rights in Eviction Court**

- Rent demands must be in writing and served fourteen days before the landlord can start a court case for non-payment.

- Court papers have to be served at least 10 days before the court date.

- The landlord cannot get any non-rent charges in a non-payment proceeding.

- A non-payment proceeding stops if a tenant pays all the rent before the first court date.

- Tenants who raise defenses have a right to a fourteen-day adjournment before trial.

- A warrant of eviction must be served at least fourteen days before the tenant can be evicted.

- A tenant in a non-payment proceeding can pay all the rent due before the eviction and end the proceeding.

- If a court finds that a tenant breached her lease, the court must give the tenant thirty days to correct the problem.

- Under certain circumstances, the court can give a tenant up to a year to relocate as long as the tenant stays up to date with rent.

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#### RELATED LEGISLATION

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### **2019-S6458**

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor

- Signed By Governor

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Enacts the "Housing Stability and Tenant Protection act of 2019"

June 11, 2019

Signed by Governor

Sponsored by **Andrea Stewart-Cousins**

Do you support this bill?