



NEW YORK STATE SENATOR

Jen Metzger

## Legal Services of Central New York: Renters Rights One-Sheet

JEN METZGER September 19, 2019

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

Information Provided by **LEGAL SERVICES OF CENTRAL NEW YORK**

### **BEFORE YOU CAN BE EVICTED**

Your landlord must give you a written 14-day demand for back rent.

If you prove in court that your back rent is paid, the court can stop the eviction.

Your landlord must give you written notice of 30, 60, or 90 days to end your lease or raise your rent 5% or more, depending on how long you've lived there.

Court eviction papers must be served on you between 10 and 17 days before court.

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### **AT EVICTION COURT**

At your eviction hearing, you may ask the judge for a 14-day adjournment.

If you complain to your landlord or Codes about problems with your rental, it can be found to be unlawful retaliation if the landlord tries to evict you within one year.

If the court evicts you, you cannot be forced to leave for at least 14 days.

If the court evicts you for nonpayment, and you pay the full amount of rent due, you can stay in your home.

If you are evicted for breaking the rules of your lease, the court must delay eviction for 30 days for you to fix the problem.

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## **NEW RIGHTS FOR RENTERS**

If you break your lease and move out early, the landlord may be required to search for new tenants before attempting to sue you for the remaining rent on the lease.

“Blacklisting” tenants for prior evictions or landlord disputes is now illegal.

Landlords may no longer charge an application fee. Background and credit check fees are limited to \$20 total.

Late fees are limited to \$50 or 5% of monthly rent, whichever is lower.

Your landlord must give you a written receipt for all payments except those by personal check. You must request a written receipt for payments made by personal check. Landlords must save receipts for 3 years.

Your landlord must send you a written notice within 5 days if you failed to pay your rent on time. If the landlord does not do this, it may be a defense in your case.

Your security deposit may not be more than one month's rent. You are entitled to inspect the apartment with your landlord before you move in and move out.

If your landlord wants to keep any of your security deposit, you must be given a written list of what it is being used for within 14 days of moving out.

Unlawful eviction is now a crime.

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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?