



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

NY Senate Passes Hoylman Bill to Let Tenants Bring Claims Against Out-of-State Landlords in Small Claims Court

BRAD HOYLMAN-SIGAL April 19, 2021

| ISSUE: **SENATOR BRAD HOYLMAN, SD 27, TENANT RIGHTS, SMALL CLAIMS COURT**

NEW YORK—Today, the New York State Senate passed legislation ([S.69](#)) sponsored by Senator Brad Hoylman (D/WF-Manhattan), chair of the Senate Judiciary Committee, to allow tenants to bring claims related to their tenancies against out-of-state landlords in the small claims courts that have jurisdiction over the location of the tenant's apartment. The Assembly companion legislation, (A.297), sponsored by Assembly Member Richard Gottfried (D/WF-Manhattan), passed on March 25.

Senator Hoylman said: “Small claims courts are some of the most ‘user friendly’ for tenants and other claimants, but a decades-old loophole in case law has resulted in a situation where an out-of-state landlord could sue tenants in a local court, but the tenant wouldn’t have the right to sue the landlord in the same court. This legislation closes that loophole, ending the deprivation of a tenant’s fair day in court if their landlord happens to live in another state. I am grateful for Senate Majority Leader Andrea Stewart-Cousins’ commitment to fight for tenants rights, and I urge the Governor to sign this legislation into law promptly.”

Small claims courts have jurisdiction over actions in which the amount in dispute does not exceed \$5,000 (or \$10,000 in New York City) if the defendant either resides or has a business office within the court's geographical jurisdiction. This bill would also allow a tenant or

former tenant to bring a claim against their landlord in the small claims court where the property is located, even if the defendant does not live in or maintain an office in the county. The tenant would mail notice of the claim to the place where he or she mails or delivers rent.

###