REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2013 January 21

NYS 2013-2014 Assembly and Senate

2013-14 #	2011-12 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
A35 S303	A7096A S1078A	Farrell Martins	Provide that lender of reverse mortgage to person over 60 may receive NMT 20% of future appreciation	Amd RPL 280	Finance		
A162 S315	A9109 S6017	Crespo Diaz	Requires lenders, assignees and mortgage loan servicers to submit affidavit before foreclosure	Add RPAPL 1304-a	Finance		
A355 S113	A715 S1021	Dinowitz Peralta	Establish time restrictions for owners to remedy building code violations	RPAPL 777	T&T, L&T	NC	Passed A 5/23/11 Passed A 1/19/12
A360 S54	A798 S604	Dinowitz Peralta	Relates to voting rights in cooperative apartments	GBL	Condo/ Coop		
A516 S2487		Cusick Lanza	Require applicants for land use approval to certify compliance with applicable state zoning and building procedures and requirements	Amd Gen Mun 79, ECL 25-0403, 24-0705	Land Use, Environ		
A527 S1215	A5026 S3183	Cusick Defrancisco	Makes indemnification agreements in construction contracts void	Amd GOL 5-322.1	Construct		
A528 S1216	A8841 S6057	Cusick DeFrancisco	Void contract provisions that require contractors to commence or continue unapproved or disputed work	Amd GOL 5-322.1	Construct		Passed S 6/18/12
A529 S1217	A5023 S3180	Cusick Defrancisco	Provide for reasonable amount of construction contract to be deposited in interest bearing escrow account with third party escrow agent	Amd GBL 756-c	Construct		
A555 S1733	S3260	Dinowtiz Espaillat	Prohibits surcharge for installation or use of tenant-installed appliance	Add NYC Ad Cd 26-416	L&T		
A583 S1828	A1287 S3256	Dinowitz Espaillat	Prohibits rental on vacancy of unsold condo or coop unit unless plan allowed and members agree	Amd GBL 352-eee	Condo/Coop		
A617 S919	S2757	Serrano Gibson	Requires rent reduction for submetered utility service	Add MDL 302-d	L&T		
A682 S1000	A4981A S546A	Galef Little	Re taxation of property owned by coop corp	Amd RPTL 581, RPL 339-y	Coop & Condo		

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A692 S511	A1482	Rosenthal Espaillat	Establish tax credit for personal prop replacement as a result of bedbug infestation	Amd Tax 606	T&T, RE Tax		
A696 S1818	A1461 S3120	Rosenthal Espaillat	Allow tenant to offset rent with payments made for repair or maintenance of heat	Amd MDL 302-c, NRL 305-c, RPL 235	L&T		
A697 S1734	A1460 S3259	Rosenthal Espaillat	Requires landlords to provide rental history on signing vacancy lease	Add NYC Admin Cd 26-517.2	L&T		
A700 S1830	A1467	Rosenthal Espaillat	Four year moratorium on privatization by voting in Mitchell-Lama shareholders between failed dissolution votes	Amd PHFL 35	L&T		
A736 S812	A2016 S3571	Weprin Adams	Authorizes Supt of Ins to conduct study of title insurance premium rates		TF on Public Option TI	SIA: RPLS #7 3/11/11	
A745 S1805	A1464 S3119	Rosenthal Espaillat	Require rent guidelines board to take into account other sources of income received by landlords	Amd NYC Ad Cd 26-510	L&T		
A848 S1815	A1892B	Rosenthal Espaillat	Establish rent adjustments in NYC and Westchester and Nassau; suspend maximum base rent program	Amd NYC Ad Cd 26-405, Amd EHRC 4	L&T		
A854 S2264	A636 S696	Weinstein Klein	Authorizes the mortgagee or lienor of an abandoned multiple dwelling to apply for the appointment of a receiver to bring the building into compliance	RPAPL	Finance		
A907 S2456	A2005 S4370	Weprin Lanza	Exemption for first time home buyer from mortgage or recording tax under Art 11 Tax Law	Add Tax 268	Finance, T&T		
A915 S1867	A9466 S6572	Braunstein Stavisky	Assessed value of coops/condos not increase by more than 3% in 2 years after certiorari proceedings	Add NYC Ad Cd 11-240	Condo/Co op		
A938 S1228	A739	Kellner Perkins	Collection of charges for heat-related residential utility service	Amd MDL 79, MRL 173	L&T		

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A1046 S674	A7013 S4616	Sweeney Avella	Require hazardous wastes produced from oil and gas activities to be subject to requirements for treatment of hazardous wastes	Amd ECL 27-0903	Env		Passed A 2/13/12
A1082 S44	A626B S667B	Weinstein Peralta	Requires every assignment of mortgage to be recorded with county clerk	Amd RPL 291-i	Finance	OAR: RPLS #1 3/11/11 RPLS #1A 3/8/12	Passed A 4/8/10 Passed A 6/2/11
A1097 S1887	A164 S4079	Cahill Bonacic	Stay of issuance of warrant for eviction for certain holdover tenants	Amd RPAPL 753	L&T		
A1126 S1800	A8605A	Rosenthal Espaillat	Prohibit landlords from refusing to deal with people solely because of involve-ment in prior summary proceedings	Amd Exec 296	L&T		
A1127 S1823	A1466A S3121A	Rosenthal Espaillat	Remediation and prevention of indoor mold, requires disclosure of history on sale	Add PHL 16-a; P Health 4809; Amd RPL 462	T&T, Env		
A1271 S878	A417A	Gunther Bonacic	Requires burden of annually establishing mandatory class non-profit r.p. tax exemptions to fall on owner	Amd RPTL 420-a			
A1363 S2284	A8805 S5879A	Abinanti Ball	Regulation of hydraulic fracturing	Add ECL 23-1501-1511, amd 8-0109, add 23-0303(2)	Env		
A1413 S2273	A706 S991	Lentol Montgomery	Require developers to deposit 10% of est. project cost into escrow for damage to neighboring properties during construction	Add NYC Ad Cd 108.23, 28-201.5	T&T		
A1585 S1167	A2430A S1193A	Rosenthal Stewart-Cousins	Repeal provisions that allow vacancy decontrol	Rpl EHRC, ETPA sections	L&T		Passed A 6/13/12
A1685 S673	A7218A S4220A	Colton Avella	Prohibits use of hydraulic fracturing	Amd ECL 23-0305, add 17-0513	Env		

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A1770 S448	A300A S6097	Maisel Avella	Moratorium on disposal of fluids used in hydraulic fracturing outside the state		Env		
A1858 S2159	A9088 S6684	Millman Valseky	Require reasonable modifications to apartments for seniors and persons with physical impairments	Add RPL 235-h	L&T		
A1984 S1844	A2560 S1095	Titus Parker	Provides for notice of illegal restrictive covenant language in documents to be recorded and recordation of modification documents	Add RPL 291-i	T&T	OAR RPLS #6 2/17/11	
A2069 S317	A8040 S6541	Stevenson Diaz	Prohibit mortgagee from refusing to accept partial mortgage payments	Add RPL 254-e	Finance		
A2110 S184	A5985 S87	Kavanagh Squadron	Requires registration of coop/condo property managers	Add RPL Art 12-D	Condo/ Coop		
A2181 S513	A2881	Kavanagh	Alterrnative hardship applications for rent stabilized properties	Amd NYC Ad Cd, ETPA	L&T		
A2187 S494	A6410 S2727	Kavanagh Stavisky	Allow rent reduction based on reduction in services to be retroactive	Amd NYC Ad Cd 26-514	L&T		
A2626 S1268	A5902 S1409	Kavanagh Perkins	Requires listing of names and addresses of members of LLCs on r.p. transfer form	Amd RPL 333	T&T		Pressman
A2731 S26	A3073 S1278	Wright Espillat	Permits court to order rent abatement in actions to recover rent where court finds constructive eviction	Add RPAPL 757	L&T: ComLease	OAR: RPLS #3 3/11/11	Referred to judiciary 1/3/07
A2779 S1478		Lavine Krueger	Presumption of dismissal of residential mortgage foreclosure actions for repeated plaintiff non-appearance or failure to meet readiness deadlines	Amd Jud 212, CPLR 3408	Finance		
A2790 S1168	A9006 S2827	Pretlow Stewart-Cousins	Require landlord to furnish rider describing rights and duties of landlords and tenants	Add RPL 223-c	L&T		See also A2370/S2827
A2816 S1242	S2926	Wright Perkins	Housing NY Program for 21st Century	Amd PHFL 654-c	Housing		

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A2852 S19	A2378 S7271	Clark Diaz	Enacts Home Equity Fraud Act to control improper activities of home improvement contractors and finance companies	Amd Bank, RPL, RPAPL, GBL, GOL	Finance		

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A37	A10224	Farrell	Prohibit transportation of hydraulic fracturing fluids and waste in NYC or within 25 miles	Amd ECL	Environ		
A88	A10524 S7620	Kearns Ranzenhofer	Require plaintiff in mortgage foreclosure actions to provide contact information	Amd RPAPL 1307	Finance		Passed A 6/19/12
A160	A8638	Kavanagh	Increase amount of Mansion tax imposed in NYC to $1.75 million	Amd Tax 1402-a	T&T		
A189	A6458 S4203	Kavanagh Seward	Provides for licensing of agents of title insurance corporations	New Ins L art 21-A	T&T	OAR: RPLS #9 4/6/11	(NYSLTA bill)
A197		Braunstein	Makes technical changes to Jud Law re UPL for pro hac vice or legal consultant	Amd Jud 478, 484, 485-a	Prof		
A251	A5948 S458	Kavanagh Krueger	Grants tenant right to withhold rent for failure of landlord to provide heat	Add RPL 235-h	L&T		
A305	A796	Dinowitz	Governs election of board by residents of cooperatives and condominiums	GBL	Condo/ Coop		
A475	A605	Magnarelli	Relates to smoke detectors in multiple dwellings	MDL			
A585	A2394	Pretlow	Entitles senior citizens to a refund of any security deposit exceeding one month's rent	Add RPL 235-h	L&T		
A651	A1454	Rosenthal	Imposes civil penalties on landlords for including unenforceable provisions in residential leases	RPL	L&T		
A683	A6684 S4372	Weprin Lanza	Classifying property held in coop form as class one for assessment	Amd RPTL 1802			See also A6852/S4283
A701	A6556A	Rosenthal	Requires owners to provide lessee with notice of lead paint	Amd NYC Ad Cd 27-2056.4	L&T, Env		

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A722	A8299	Rosenthal	Oil, gas or mineral land leases owned by tenants in common, etc shall be signed by each such tenant	Amd GOL 5-333	Com Lease		
A824		Kearns	Require plaintiff to obtain mortgage foreclosure in "good faith"	Amd RPAPL 1307	Finance		
A839	A8483	Lifton	Require statement in all oil, gas or mineral leases that notifies lessee of potential adverse effects	Amd GOL 5-333	Com Lease		
A840	A8482	Lifton	Notice requirements for assigning oil, gas or mineral land leases	Amd GOL 5-333	Com Lease		
A841	A8481 S5898	Lifton Seward	Require signatures of both parties to record modification, extension or renewal of oil, gas or mineral land lease	Amd RPL 291-cc	Com Lease		
A842	A8480	Lifton	Exclude oil, gas and mineral land leases from leases that may be recorded by memo of lease	Amd RPL 291-c	Com Lease		
A844	A8485 S5899	Lifton Seward	Require oil, gas or mineral land lease to be recorded within 30 days of execution	Amd RPL 291	Com Lease		
A858	A635 S387	Weinstein Krueger	Relates to tenant security deposit accounts and administrative expenses to which a person may be entitled	GOL	L&T		Passed A 6/13/11
A894	A10369	Rosenthal	Requires financial statements of condos and coops to be prepared using GAAP; requires auditing for certain buildings by CPAs	Amd RPTL 581	Condo/Coop		
A895	A10362	Rosenthal	Requires disclosure by auditor to prospective buyers, owners and board of evidence which would materially impact professional findings about fiscal health of condo or coop	Add RPL 339-gg, Renumber gg-ii	Condo/Coop		
A939	A738	Kellner	Unlawful to permit or maintain illegal use or occupancy of premises subject to coop/condo conversion plans	Amd GBL 352-eeee	Condo/Coop		

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A940	A10473	Kellner	Authorize voluntary dissolution of Mitchell-Lama coops	PHFL, St Fin	Condo/Co op		
A942	A885 S437	Kellner Krueger	Eliminates certain publication requirements for limited liability companies and limited liability partnerships; repealer	LLCL	Pressman		
A990	A1720	Rosenthal	Repeal NYC Admin Code to more readily permit eviction of tenants of buildings to be demolished or substantially altered	RPL NYC Ad Cd 26-408(b)(6)	L&T		
A993	A5177	Rosenthal	Expands requirement of disclosure of bedbug infestation history for prior year to lessees outside NYC (includes coop sales and coop/condo rentals)	Add RPL 235-h	L&T, Condo/ Coop		
A1000	A629D S697A	Weinstein Peralta	Only owner of home loan mortgage has standing to foreclose	Amd RPAPL 1302	Finance	NC	Passed A 7/1/10 Passed A 6/22/11 See A7264/S5636
A1040	A667B S2709	Jaffee Grisanti	Establishes “private well testing act” requiring contract to make testing condition of sale	Add RPL 468	T&T		Passed A 5/2/11 Passed A 4/25/12
A1081	A105	Cahill	Enhance protections for homeowners who have paid contractors for home improvements	Amd GBL 770, 772, 773, 774			
A1128	A1926 S531	Rosenthal Klein	In NYC, rent following dissolution date of Mitchell-Lama developments shall be last rent authorized	Add PHFL 35-a			
A1139	A1948	Cahill	Allows counties to adopt full value assessment procedure; reassessment every 5 years	Add RPTL			
A1141	A122	Cahill	Require licensed land surveyor to notify adjacent owners of changes to maps of subdivided parcel	Amd RPTL 503, Add RPL 334-b			

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A1343	A8687	Castro	Authorize district attorney to intervene in proceeding by owner on which tenant's occupancy is illegal based on use	Amd RPAPL 715	L&T		
A1549	A5304	Hooper	Permits landlord to inspect dwellings and exterminate bedbugs	Add RPL 235-h, MDL 85	L&T		
A1583	A6352	Maisel	Require PCDA to be recorded on conveyance; county clerk to provide copes to DEC; DEC to operate electronic database	Amd RPL 291, 462, ECL 3-301	T&T, Env		
A1763	A3745	Englebright	Requires buyers and lessees to be given notice of public access to sex offender info	Add RPL 220-a, 242-a	T&T		See also S2594, now 2013-14 S1527
A2060	A5986	Kavanagh	Require landlord of rent controlled or stabilized unit to pay penalties if landlord commences action in bad faith to recover possession on ground not occupied as tenant's primary residence	Amd NYC Ad Cd 26-413, 26-515	L&T		
A2276	A6172	Weprin	Increase age for reverse mortgage to 62 from 60	Amd RPL, Bank, Ins, PAL, Tax	Finance		
A2556	A2163	Lavine Skelos	Requires applications for coops to be acted on within 45 days	Add RPL 360-364	Coop Condo	OAR: RPLS #2 3/11/11	Same as A3053
A2564	A6675 S4237	Miller M Addabbo	Requires owner of abandoned dwelling in NYC to seal it; if not NYC may impose lien for cost	Amd RPAPL 1970-1974, add 1975			
A2579	A2605	Robinson	Require all residential leases to disclose tenants' rights	Add RPL, MDL, MRL, RPAPL, GOL	L&T		
A2768	A2195	Wright	Extends the requirements for property condition disclosure statements to sales of condominiums and cooperative apartments	RPL	T&T; Condo/ Coop		

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A2801	A5302	Wright	Require mortgagees to provide notice when mortgagor no longer required to maintain personal mortgage insurance	Add Bank 6-n	Finance, PI		
A2815	A2202	Wright	Creates the Uniform Statutory Rule Against Perpetuities; repealer	EPTL			

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S73	A1365 S132	Jeffries Peralta	Requires mortgage lenders and brokers to provide consumer with mortgage bill of rights pamphlet which must be signed by the consumer prior to mortgage application	Add Bank 35	Finance, PI		Passed A 6/17/10 Passed S 6/22/10 Gov veto 2010
S197	A3033 S81	Lopez, V Squadron	Limits landlord's ability to take possession of unit for their own primary residence	Amd NYC Ad Cd 26-405, 26-511	L&T	NC	Passed A 4/27/10 Passed A 6/13/12
S248	S1715	Sampson	Require broker to deposit monies in IOBA account	Add RPL 443-b, St Fin L 97-v, 98	T&T		
S254	S1699	Sampson	Requires mortgage bill of rights be printed and posted on internet in 8 most spoken languages	Amd Bank 35	Finance		
S347	A6745 S3148	Lancman LaValle	Foreclosure judgment must direct that each individual of purchasing group disclose name	Amd RPAPL 1351	Finance		Passed S 4/17/12
S348	A6744A S3149A	Lancman Lavalle	Judgment of sale in foreclosure shall direct payment by purchaser by bank officer's check	Amd RPAPL 1351	Finance		
S477	A1971 S1220	Jeffries Stavisky	Limits evictions where complaint registered with local rent office	Add RPAPL 770-a	L&T		
S516	S1306	Espaillat	Tenant's right to recover attorneys' fees as a result of service of notice based upon false facts or allegations	Add RPL 234-a	L&T, Com Lease		
S724	S2696	Avella	Eligibility for acceptance into brownfield cleanup program	Amd ECL, Tax, Gen Mun	Env		

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S726	S5118A	Avella	Classify condos and coops for assessment as class one-a properties	Amd RPTL, GML	Condo/Coop, RE Tax		See A6684/S4372, A6852/S4283 of 2012
S734	S2697A	Avella	Provisions to ensure natural gas development practices will be sustainable and safe	ECL	Environ		
S1001	A5339A S133A	Galef Little	Require market-based assessment of coops and condos converted or constructed on or after January 1,2012	Amd RPTL 581, RPL 339-y	Coop/ Condo		
S1024	A2593 S2341	Lopez Serrano	Limits rent increase after vacancy of housing accommodation	Amd NYC Ad Cd 26-511, ETPA 10	L&T	NC	Passed A 4/27/10 Passed A 6/13/12
S1040	A1309 S2699	Jeffries Serrano	Repeals permitting rent increases after vacancy	Amd NYC Ad Cd, RTPA, EHRC	L&T		
S1145	S1447	Breslin	Authorize cities or towns to impose tax on r.e. transfers and create community preservation funds	ECL, Gen Mun, Tax	T&T		
S1168	A2370 S2827	Spano Stewart-Cousins	Require landlords to furnish rider describing rights and duties of landlords and tenants	Add RPL 223-c	L&T		See also A9006/S2827 [Assembly bill tied to 2 senate bills]
S1201	S5592	Carlucci	Suspends hydraulic fracturing for the extraction of natural gas or oil				
S1273	A4911 S1375	Wright Perkins	Provides penalties for warehousing housing for future coop conversion	Amd NYC Ad Cd 26-412, 516, ETPA 12	Coop		
S1292	A3909 S68	Ortiz Montgomery	Requires leases in NYC to contain rider re rights and duties re housing part	Add RPL 235-h	L&T		
S1477	S425	Krueger	Department shall have power to regulate hydraulic fracturing fluids and require disclosure	Amd ECL 23-0305	Environ		

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S1478	S442	Krueger	Relates to presumption of dismissal of residential mortgage foreclosure actions for repeated plaintiff non-appearance or failure to meet readiness deadlines	Jud L	Finance		
S1492	S443A	Krueger	Remove provisions prohibiting NYC from strengthening rent regulations laws to provide more comprehensive coverage than state laws	Amd Chap 21 of 1962	L&T		
S1493	A2459A S523A	O'Donnell Krueger	Extends time over which MCI expenses may be recovered by landlords to 7 yrs; prohibits rent surcharges after cost recovered	Amd NYC Ad Cd 26-405, 26-511, ETPA 6 ERCL 4	L&T; Low Inc Hsg	NC	Passed A 4/27/10 Passed A 6/13/12
S1527	S2594	Flanagan	Requires buyers and lessees to be given notice of public access to sex offender info	Add RPL 220-a, 242-a	T&T		See also 2011-12 A3745
S1675	S5418B	Grisanti	Responsible parties for petroleum contaminated sites and incentives to remediate	Amd Nav 176, 180, 181, 183	Environ		
S1723	A1310 S3261	Jeffries Espaillat	Provide financially unable home owner in foreclosure with rt to assigned counsel	Amd RPL 1304	Finance, PI		
S1725	A564 S3113	Dinowitz Espaillat	Protects non-purchasing senior citizens threatened by eviction under coop/condo conversion plan.	Amd sec 10, Chap 555 of 1982	Coop/Condo		
S1774	S406	Krueger	Prohibit owners from entering or renewing leases where owner has reason to know tenant will not occupy as primary residence	Add ETPA 5-b, 12, Amd NYC Ad Cd 25-513, 516	L&T		
S1775	S448	Krueger	Prohibit owner from adjusting preferential rent on renewal of lease; only allow owner to adjust upon vacancy not result of failure to maintain habitable residence	Amd ETPA 10; NYC Ad Cd 26-511	L&T		
S2291	A7716 S5102	Lopez Ball	Enact bill of rights for residential condo unit owners	Add GBL 352-eeeee	Condo		

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S2312	A8300 S2906	Morelle DeFrancisco	Allows mortgagor to receive assignment of mortgage in lieu of discharge when refinancing	RPL 275(2)	Finance	SAR: RPLS #15 6/14/11	Passed S 6/14/11 Passed S 6/12/12
S2365	S6206	Klein	Authorize district attorney to intervene in proceeding by owner on which tenant's occupancy is illegal based on use	Amd RPAPL 715	L&T		See A1343

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	A34A S149	Cahill Maziarz	Provides tax credits for solar	Amd Tax 606	Green		Chap 375 of 2012
	A45 S3473	Latimer Oppenheimer	Prohibits r.e. brokers from providing legal advice or preparing legal documents	Amd RPL 440-c	T&T, UPL		
	A128C S4285C	Montesano Martino	Authorizes on-site inspection of housing if advertising offers rental unit in excess of c.o.	Add Gen Mun 99-v	Land Use		Passed S 5/21/12
	A347A S4554	Paulin Ball	Relates to vested rights of property owners relating to the development of their land	GenMunL	T&T		
	A366 S7163	Cusick Lanza	Require notice to neighbors within 1000 feet of intention to develop wetlands, public hearing	Amd ECL 25-0402, 24-703	Env		Passed A 5/14/12
	A373A S5759	Hoyt Valesky	Provides for land banks, for conversion of vacant, abandoned or tax-delinquent properties to productive use	Add NPCL 1600-1617, Amd PAL 2			Chap 257 of 2011
	A347A S4554		Relates to vested rights of property owners relating to development				
	A1415D S1462D	Thiele LaValle	Authorize municipal corp to provide r.p. tax exemption for improvements meeting certification standards for green buildings (LEED)	Add RPTL 470	Green R.E.		Chap 188 of 2012

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	A1719 S521	Rosenthal Krueger	Provides that the failure to report a release of hazardous substances is a class A misdemeanor	ECL	Land Use/ Env		
	A1729 S451	Rosenthal Krueger	Provide greater rights and notification to tenants in evictions	Amd RPAPL	L&T		
	A1777 S397	Rosenthal Krueger	Provides condo owners with access to application for building for tax abatements	Amd RPTL 467-a	Condo		Chap 453 of 2011
	A1913B S4038B	Jeffries Savino	Prohibit home improvement contractors from acting for mortgage brokers	Add Bank 595-c	Finance		Chap 593 of 2011
	A1918A S429A	Millman Krueger	Requires access to new homes by persons with disabilities				
	A2015 S3569	Brodsky Adams	Creates NY title guaranty authority to operate program offering guaranties of real property titles	Add PAL 3974-3980	TF on Public Option TI	OAR: RPLS #7 3/11/11	
	A2039 S4963	Tedisco Ball	Establish co-STAR tax program for senior citizens and farmers/	Add RPTL, Tax, NYC Ad Cd, St Fin			
	A2515 S755	Fitzpatrick Young	Include mixed and commercial property within affordable home ownership program	Amd PHFL 1111	Low Inc Hsg, L&T		Passed S 6/15/11 Passed S 5/30/12
	A2520 S763	Fitzpatrick Young	Authorize SONMA to establish home equity protection insurance program to insure against loss on resale	Amd PAL 2404, 2405-f	Low Inc Hsg		
	A2592 S1513	Lopez Klein	Requires companies aided by loans under Mitchell-Lama to notify tenants of possibility of buyout from mortgages	Amd PHFL 35			
	A2595 S1005	Lopez Sampson	Authorizes certain limited-profit housing companies to pay dividends or interest in excess of 6%	Amd PHFL 28, add 35-a			
	A2674A S2783A	Lopez Espaillat	Extends provisions re rent regulation	Amd ETPA, EHRC, etc	L&T		Passed A 4/11/11
	A2915 S1105	Meng Parker	Provides mechanism to allow owners to remove offensive covenants	Add RPL 291-i	T&T	OAR; RPLS #6 2/17/11	

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REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2013 January 21

2013-14 #	2011-12 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A3021 S1305	Wright, K Duane	Child living with parent for 2 years in rent reg apt is deemed a tenant	NYC Ad Cd 26-403, 26-504a	L&T		
	A3596 S906	Glick Krueger	Prohibit landlords from circumventing RSL demolition provision	Amd NYC Admin Cd 26-511	L&T		Passed A 6/14/11 Passed A 5/2/12
	A3661 S3589	Camara Adams	Grants tenants relocation costs from foreclosure sale	Amd RPAPL 1354			
	A3679 S904	Gottfried Krueger	Makes warrant execution, not issuance, act which annuls relationship	Amd RPAPL 749(3)	L&T		
	A3876 S639	Englebright Golden	Establish reverse loan mortgage loan program for low income seniors	Add Pub Auth 2405-f	Finance, PI		
	A3916 S2566	Brook-Krasny Kruger	Clarify exemption for coop housing corps where no change in beneficial ownership	Amd Tax 1405	Coop/ Condo		
	A4012 S2812		Governor's Budget Bill				Chap 62 of 2011
	A4168 S3565	Weprin Adams	Directs state insurance fund to offer title insurance and authorizes superintendent of insurance to implement such.	Amd Work Comp L 76	TF on Public Option TI	OAR: RPLS #7 3/11/11	
	A4203 S457	O'Donnell Krueger	Unlawful for person to have residential rent application denied due to prior housing court proceedings	Add RPL 235-h	L&T	OAR: RPLS #12 4/19/11	
	A4645 S3154	Camara Kruger	Provides for penalties against owner for warehousing	Amd NYC Ad Cd; ETPA	L&T		
	A4580A S2986A	Englebright LaValle*	Require applicants for subdivision review to obtain confirmation of school district	Add Gen Mun 99-w	Land Use		Passed A 2/14/12
	A4880 S1649	Towns Sampson	Estab urban homeowners assistance program for first time homeowners to avoid foreclosure	Add PHFL 930-935	Low Inc Hsg		See also A6896/S1649
	A5028 S3176	Sweeney LaValle	Extend date for exemptions for first-time homebuyers of new homes to 12/31/16	Amd RPTL 457			Chapter 77 of 2011
	A5029 S3177	Thiele LaValle	Provide recourse for manufactured homeowners confronted with unjustifiable rent increases	Amd RPL 233, Add 233-b			Passed A 6/21/12

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	A5700A S1998A	Braunstein Fuschillo	Makes practicing or appearing as an attorney-at-law without admission & registration a Class-E felony	Amd Jud L 478, 485	UPL	SAR, RPLS #4, 02/18/09	NYSBA supports Chap 492 of 2012
	A5815 S3723	Losquadro LaValle	Re manufactured homes certificate of title and conveyance and encumbrance of manufactured homes as real property	Amd Exec,V&TL,add RPL 296-a	T&T		
	A5825 S4958	Gunther Ball	Requires purchaser of property within 500 feet of agricultural district be provided with disclosure of farming	Amd RPL 333, 333-c	T&T		Passed A 5/4/11 Passed A 5/15/12
	A6124 S2744	Kavanagh Serrano	Extends rent control to June 15, 2014	Amd EHRC, etc	L&T		
	A6131 S449	Kavanagh Krueger	Requires hearing by DHCR prior to decontrol for failure to respond to income certification	Amd EHRC, NYC Ad Cd, ETPA	L&T		
	A6132 S436	Kavanagh Krueger	Establish criteria for rent increases for major capital improvements	Amd NYC Ad Cd, ETPA	L&T		
	A6214 S2376	Schimminger Seward	Provides STAR to small businesses	Amd RPTL 425	Finance		
	A6274 S4732	Farrell DeFrancisco	Extend tax rate reduction under NYS r.e. transfer tax and NYC r.p. transfer tax for conveyances to existing REITs	Amd Tax 1402, 1202, NYC Ad Cd 11-2102			Chap 493 of 2011
	A6341 S1266	DenDekker Addabbo	Provides income tax credit for 3 years for purchase of new primary residence for $1M or less	Amd Tax 606			
	A6541A S6703	Enblebright Lavalle	Establish 5 year moratorium on high volume hydraulic fracturing		Env		
	A6852 S4283	Braunstein Stavisky	Classifying property held in coop form as class one for assessment	Amd RPTL 1802	Assess		See also A6684/S4372
	A6870A S2373A	Latimer Stewart-Cousins	Authorizes electronic recording	Amd RPL 290, 317, Add RPL 291-i	TF on Electronic Recording	OUA: RPLS #10 4/13/11 SAR RPLS #10A 6/14/11	Chap 549 of 2011

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	A6896 S1649	Barron Sampson	Estab urban homeowners assistance program for first time homeowners to avoid foreclosure	Add PHFL 930-935	Finance		See also A4880/S1649
	A6941 S395	Farrell Krueger	Creates the office of the cooperative and condominium ombudsman, authorizes the residential unit fee	Exec, Tax, State Finance	Condo/ Coop	OAR: RPLS #13 5/5/11	
	A7264 S5636	Weinstein Hassell-Thompson	Require plaintiff in residential mortgage foreclosure to have standing	Amd CPLR 3212, 3408, 3215; Amd RPAPL 1302, add 1302-a	Finance		See also A629/S697
	A7274 S1924	Weisenberg Hannon	Eliminate requirement that persons 65 or older annually reapply for RPT exemption	Amd RPTL 467			Passed S 6/11/12
	A7329 S886	Barron Krueger	Prohibits compensation based on home loan terms by mortgage brokers or lenders	Amd Bank 6-l, 6-m, 590-b	Finance		Chap 404 of 2012
	A7358A S5203A	Morelle Libous	Prohibits private transfer fee obligations; requires disclosure of existing private transfer fee obligations	Add RPL 470-476	T&T	SAR: RPLS #14 5/16/11	Chap 522 of 2011
	A7366 S4790A	Braunstein Stavisky	Limit increase in r.p. tax assessments on residential coops and condos	Amd RPTL 1805	Condo/ Coop		
	A7400A S6261	Sweeney Ball	Suspends hydraulic fracturing, suspends new permits				Veto Memo 6837 of 2010 Passed A 6/6/11
	A7467A S5780	Lopez Dilan	Makes changes to Loft Law	Amd MDL 281,284-286	L&T		Passed A 6/16/11
	A7640 S6344	Weisenberg Grisanti	Claims against insurers for petroleum spills	Amd Nav 190	Env		
	A7850 S5489	O'Donnell Golden	Enforcement of environmental control board judgments as tax liens	Amd NYC Admin Cd	Env		
	A8118 S5118	DenDekker Avella	Classify properties held in condo and coop form as class one-a	Amd RPTL, NYC Ad Cd	Condo/ Coop		

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	A8347 S2264	Englebright Kruger	Require coop corps to provide purchaser with statement of reasons when withholding consent	Amd Civ Rts L 19-a	Condo Coop		
	A8361 S4920	Morelle DeFrancisco	Require disclosure of title service charges	Add Ins 6412	T&T	SAR: NYSBA #10 5/16/11	RPLS bill
	A8510 S5844	Cahill Maziarz	Establish on-bill financing for retrofit, requiring seller to disclose obligation; energy siting; solar energy study	Amd various, RPL 242	Green		Chap 388 of 2011
	A8518 S5856	Lopez Skelos	Enacts r.p. tax levies, rent regulation, exemption from local taxation	Amd various	L&T		Chap 97 of 2011
	A8608 S1251	Titone Addabbo	Excludes social security payments from "income" for senior citizen rent increase exemption	Amd RPTL 467-b, 467-c			
	A8909 S6124	Jeffreis Savino	Exempts home improvement loans insured by FHA from payment restrictions on home improvement contractors	Amd Bank 595-c	Construct		Chap 5 of 2012
	A9056D S6256D		Defines estate for Medicaid estate recovery purposes in Health Budget Bill		T&T	JA & JD oral comments	Chap 56 of 2012
	A9070 S1372	Millman Perkins	Annual adjustment of maximum income threshold for SCRIE by increase in CPI	Amd RPTL 467-b & c	L&T		
	A9123 S3779	Robinson Smith	Allow NMT 3 mortgage loans to family members w/o obtaining mortgage banking license	Amd Bank 590	Finance		Chap 47 of 2012
	A9220A S6467A	Lentol Golden	Prevent referees/arbiters from being held liable for interest or penalties on deeds	Amd CPLR 8003		SIA: RPLS #17, 4/26/12; SAR RPLS #17A, 5/23/12	Passed A 6/11/12
	A9223A S6591A	Simotas Golden	Ensure that benefits under DRIE are transitioned to SCRIE	Amd RPTL 467-b			Chap 286 of 2012

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	A9349A S6911	DenDekker Savino	Require r.e. salesperson and broker include license number and signature of every document requiring a signature	Amd RPL 442-k	T&T		
	A9390B S6522B	Morelle Libous	Amend definitions of private transfer fee obligations to conform to private housing finance law	Amd RPL 472		Goldenberg gave comments	Chap 386 of 2012
	A9483 S6573	Braunstein Stavisky	NYC to pay 25% of legal fees of coops/condos for tax cert proceedings	Add NYC Ad Cd 11-240	Condo/Co op		
	A9538 S6859	Rabbitt Larkin	Allow property owned by one owner who is 65 years old to be eligible for enhanced STAR exemption	Amd RPTL 425			
	A9642 S6056	Millman DeFrancisco	Requires access to new homes by persons with disabilities	Add RPL 480-484	Construct		
	A9815 S7832	Gabryszak Kennedy	Provide 15% r.p. tax exemption for condos that satisfy Art 9b but for failure of developer to file separate assessment application	Add RPTL 421-n	Condo/Co op		
	A9820 S6738	Robinson Seward	Consolidation of bank and insurance departments				Chap 155 of 2012
	A9924 S4919	Bronson DeFrancisco	Require county highway acquisitions to be made under EDPL	Amd Hway; EDPL	Condemn	SAR NYSBA #	RPLS bill
	A9990 S6817A	Morelle Maziarz	Private third party may contract with owner to pay r.p. taxes in exchange for transfer of liens	Add RPLT 977-977-g			
	A10215 S7408	Camara Young	Extend to 2015 provisions re new owners of buildings for which administrators have been appointed under RPAPL Art 7-A	Amd RPAPL Art 7-A	L&T		Chap 87 of 2012
	A10323B S7676A	Cahill Larkin	Tax exemption for not-for-profit used exclusively to provide housing for aged persons				
	A10395 S7571	Weinstein Rules	Require certificate of merit by attorney in home loan foreclosure	Add CPLR 3012-b, Amd 3408	Finance		Passed A 6/12/12

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	A10490 S7666	Clark Seward	Prohibit mortgage servicer from forcing insurance coverage on homeowner	Add Bank 595-d	Finance		
	A10620 S7711	Farrell Lanza	Provides for tax abatement for solar generating systems in NYC	Amd RPTL 499-bbbb, cccc	Env		Chap 401 of 2012
	A10629A S7759	Weinstein Saland	Enacts foreclosure fraud prevention act of 2012; creates crimes of residential mortgage foreclosure fraud in 1st and 2nd degree	Amd Penal 187.00, add 187.30, 187.35	Finance		Passed A 6/21/12

NYS 2011-2012 Assembly

	A421	Lentol	Protect tenants in unlawful lofts from eviction on certain grounds by precluding owners from making application to legalize residential occupancy for 10 years	Add MDL 286-a	L&T		
	A507	Wright	Allow tenant to offset cost of emergency fuel and heating plant repairs	Add RPL 235-g	L&T; ComLease		
	A535	Sayward	Would allow LLC publication in newspaper without paid circulation requirement	LLCL 102	Pressman		
	A638	Wright	Imposes $100 fine on landlords who make false rent claims in non-payment proceedings & requires dismissal if amt requested is more than amount due	Add RPAPL 750	L&T		
	A797	Dinowitz	Creates a subpart of the housing part to handle cases involving condominiums and cooperative buildings	NYCCivCt	Condo/ Coop		
	A1035	Pheffer	Requires registration of home improvement contractors	GBL	Construct		
	A1222	Bing	Require that supervising agencies must take steps to remedy violations	Amd Pvt Hsg Fin 32	Low Inc Hsg, L&T		Passed A 09 Passed A 4/14/10

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	A1252	Hawley	Requires utility corps to record memorandum of utility surcharge agts with the recording officer of the county where property is located.	Amd S242, RP L		NC	
	A1597	Jeffries	Foreclosure diversion act of 2011	Amd RPAPL, Bank, Jud/OUA	Finance	OUA; RPLS #4 3/11/11	
	A1681	Jeffries	Provides for notice of illegal restrictive covenant language in documents to be recorded and recordation of modification documents; requires title companies to include notice	Add RPL 291-i	T&T	OAR RPLS #6 2/17/11	
	A1759	Lentol	Requires landowners to disclose if property has ever been contaminated from methamphetamines before sale or lease	RPL	T&T		
	A2225	Gibson Parker	Require mortgage brokers to be licensed	Amd Bank 590,592-a,592-b	Finance		
	A2444	Clark	Allows right of redemption in foreclosure action against residence	Add RPRPL 1352-a	Finance	OAR RPLS #5 3/11/11	
	A2572	Fitzpatrick	Removes certain restriction on right of eviction for landlord's personal use	Amd NYC Ad Cd 26-408, ETPA 10	L&T		
	A2674A	Lopez	Relates to rent regulation, extends certain provisions, etc	Amd NYC Admin Code, ETPA, EHRC, Tax	L&T		
	A2993	Lopez Krueger	Remove prohibition of NYC from strengthening rent regulation laws to provide more comprehensive coverage	Amd Ch21 of 1962	L&T	NC	Passed A 09
	A3053	Perry Skelos	Requires apps for coops to be acted on in 45 days	Add RPL 360-364	Coop/Con	OAR: RPLS #2 3/11/11	See A2163

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	A3082	Lupardo	Provides that integrated royalty owners in NY Marcellus Shale region shall receive royalty equal to highest royalty in existing lease, but NLT 18.75%	Amd ECL 23-0901			
	A3128	Pretlow	Provides for limitation of rent increases after vacancy of hsg accomod under Rent Reg Reform Act	Amd NYC Admin Code, ETPA, EHRD	L&T		
	A3209	Pretlow	Clean-up of petroleum discharges during delivery of home heating oil	Amd Nav 176	Env		
	A3538	Camara	Requires mortgagee to give notice of availability of foreclosure prevention assistance and payments; creates fund to provide financial assistance	Amd RPAPL 1303; Add St Fin 92-h	Finance		
	A3638	Gottfreid	Prohibits regs for cities < 1M from permitting owner to refuse to renew lease for personal use	Rpl NYC Admin Code; EHRC; ETPA	L&T		
	A3699	Molinaro	Requires corp petitioning for sale of subst all assets to set forth impact on the public	Amd NPCL 511			
	A3885	Englebright	On notification of petroleum discharge, DEC shall notify municipal chief exec and landowners or tenant adjacent to site	Amd Nav 175	Env		
	A3896	Finch	Enacts wetlands homeowner's relief act	Add ECL 24-0302	Env		
	A4508	Titone	Relates to sales of r.p. by not-for-profit corps	Amd NPCL 509	NFP		
	A4656	Lancman	Enacts environmental rights enforcement reform act	Add ECL 72-4501-4513, Amd 72-1311	Env	OAR: RPLS #11 4/19/11	Passed A 09 See also A4801
	A4690	Titone	Require banking institutions to accept statutory short form POA	Add Bank 9-v, 9-w	Finance		
	A4707	Morelle Breslin	Licensing of title agents	Amd Ins Law	T&T	OUA RPLS #8, 4/6/11	NYSID bill

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	A4748	Perry Sampson	Notice of conveyance to be sent to owners of record	Amd RPL 291, 379, 412, Add RPL 292-b	T&T		
	A4801	Kavanagh	Authorize private citizen to commence civil judicial actions to remedy environmental harms	Add ECL 71-4501-4513; Amd ECL 71-1311	Env		See also A4656
	A5105	Brennan	NY sub-prime predatory lending prevention act	Add Bank 6-n, 590-c; Amd Bank 14, RPAPL 1302	Finance		
	A5547	Englebright	Establish moratorium on hydraulic fracturing until 120 days after federal EPA issues report		Env		
	A5558	Englebright	Authorize municipalities to establish green loans programs	Add Gen Mun 96-c	Green		
	A5567	Latimer	Establish rent board reform act, rent adjustments, remove provisions re vacancy leases	Amd NYC Admin Code, ETPA, EHRC	L&T		
	A5752	Brennan	Allow sale, mortgage or lease of property by religious corp. if price/debt less than $200,000	Amd Rel Corp 12	Nonprofit		
	A5750	Hooper	Enacts special proceedings to convey abandoned dwellings to low-income individuals	New RPAPL 1975	PI?		
	A6259	Maisel Kruger	Permits one-time deferral of 2 monthly mortgage payments of residential mortgage	Add RPL 282	Finance		
	A6559	Castelli	Eliminate publication requirements for LLCs, LPs, LLPs	Repeal LLL, Partner			Pressman
	A6813	Cook	Licensing of apartment info vendors	Rpl RPL Art 12-C, amd RPL 440			

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	A7006	Cahill	Provides for green jobs on-bill recovery charges	Amd PSL/PAL/RPL 242, NYC Ad Cd ETPA, EHRCL	Green		See S1171 See A8510/S5844
	A7277	Brennan	Provides for mediation in foreclosure actions for fundamentally unaffordable mortgage loans, tax credit for banks that renegotiate	Amd RPAPL 1303, Add RPAPL 1308, Amd Bank 14, Amd Tax 1456	Finance		
	A7322	Reilly	Prohibit landlords from including additional services in tenant's base rent	Add RPL 220-a	L&T		
	A7338	Barron	Procedures at mandatory settlement conferences in residential foreclosure; requires good faith settlement discussions	Amd CPLR R3408	Finance		
	A7718	Thiele	Require DEC to notify landowners or tenants impacted by petroleum discharge	Amd Nav 175	Env		
	A8886	Quart	Annual adjustment of senior citizens' rent increase exemption (SCRIE)	Amd RPTL 467-b & c	L&T		
	A9147	Latimer	Authorizes party to submit response to dismiss complaint or proceeding re conduct or discipline	Amd Jud 90	Profession alism		
	A10071	Silver	Extend for 4 years r.p. tax abatement for coops and condos in NYC to address inequitable treatment	Amd RPTL 467-1	Coop & Condo		

NYS 2011-2012 Senate

	S434	Krueger	Owner who commences action in bad faith to recover possession on grounds of non-primary residence liable for court costs, attorney's fees and 3X monthly rent	Amd NYC Ad Cd 26-413, 515, 520	L&T		Passed A 5/6/09 Passed A 6/16/10

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	S458	Kreuger	Grants tenants right to withhold portion of rent for failure of landlord to provide heat.	Add RPL 235-g	L&T		
	S700	Saland	Requiring disclosure of results of water testing of private residences at the time of sale or transfer	RPL	T&T		
	S1171	Parker	Green job on-line financing for retrofit projects	Amd Pub Serv, Pub Auth, RPL 242, Lien 2, 10	Green	OAR	
	S1554	Addabbo	Provide purchasers and sellers with voter registration forms at closing	Add RPL 262	T&T		Passed S 5/17/10
	S1743	Golden	Increase minimum age for reverse mortgages from 60 to 62; permit for coops	Amends RPL 280 & 280-a	Finance, T&T		
	S1899	Kruger	Requires Mortgagee to give 10 days notice prior to increase in amount of escrow if increase if more than 5% of monthly payment	Add GOL 5-603	Finance; PI		
	S2222	Kruger	Makes covenants and restrictions against religious display void	Add GOL 5-335	T&T		
	S2287	Kruger	Render void exclusive agreements between brokers and sellers of resi-dential non-multiple dwellings in NYC where asking price is less than $1M	Add GOL 5-329	T&T		
	S2394	Serrano	Authorizes the attorney general to enforce the provisions of the environmental conservation law and its rules and regulations in the name of the people of the state	ECL			
	S2619	Kruger	Prohibit bank from charging service charge or min balance for IOLA accounts	Add Bank 9-v	Finance		
	S2668	Kruger	Provides for the licensure of agents of authorized title insurance companies	Amd Ins 2101	T&T		

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	S2744	Serrano	Amends provisions relating to stabilization of rent, recontrol of rents and conversions to coops/condos	Amd EHRC, etc	L&T, Coop/ Condo		
	S2763	Hassell-Thompson	Require landlord to check state sex offender registry when leasing/subletting and notify tenants with children	Add MDL 301-a	L&T		
	S3651	Smith	Disclosures re refinancing of existing mortgage	Amd Bank 595-a	Finance		
	S3671	Smith	Define "timely" as 10 days for insurance escrow accounts	Amd Bank 6-k	Finance		Passed A in 09 & 1/25/10
	S3677	Hannon	Requires every certificate of discharge of mortgage to include every assignment of mortgage	Amd RPL 321	Finance		
	S3781B	Smith	Penalties against unauthorized entities and unregistered mortgage brokers for mortgage fraud made applicable to <u>all</u> (not just residential) mortgages	Bank, Penal/Finance			Passed S 6/7/11 Passed S 6/20/12
	S4010	Johnson	Require registrar to provide notice to local assessor of change of ownership on death of registered owner	Amd RPL 423			
	S4117A	Young	Makes provisions re previously deregulated housing accommodations again subject to rent regulation iaw court of appeals decision	Amd NYC Ad Cd, EPTA, RPTL	L&T		
	S4220B	Avella	Prohibits use of hydraulic fracturing	Amd ECL 23-0501, 0503	Env		
	S4338	Ranzenhofer	Reinstates middle class STAR rebate for 2012-2013 and thereafter	Add RPTL 1306-b, Tax 178			
	S4413	Flanagan	Riparian/littoral property lines to be shown on subdivision maps contiguous to water	Amd RPL 334(5)	T&T	NC	Passed A 08 Surveyors bill
	S4585	Bonacic	Extends judgment lien period on real property to 20 years in action on money judgment	Amd CPLR 5014, 5203; Repeal 5253			

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2013-14 #	2011-12 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	S4790A	Stavisky	Limit increase in RPT assessment on residential coops and condos to 6%	Amd RPTL 1805	Condo-Coop		
	S5041	Young	Determine primary residency of rent regulated housing based on filing of income tax returns and place of voting	Amd NYC Ad Cd, ETPA	L&T		Passed S 6/5/12
	S5102	Ball	Enact bill of rights for owners of res condo units	Add GBL 352-eeeee	Condo/ Coop		See A4946 of 2009
	S6229	Parker	Require advance notice of increase in mortgage escrow if more than 5%	GOL 5-603			
	S7240	Farley	Permit foreclosure of non-residential or certain multi-family buildings by power of sale; procedure for uncontested commercial mortgage foreclosure	Add RPAPL 1401-1421	Finance		
	S7259	Johnson	Provide for appeal of disputes between shareholders and coop boards of directors to hearing officer appointed by attorney general	Add Coop Corps 78, Amd Exec 63	Coops/ Condos		
	S7859	Addabbo	One year moratorium on foreclosure of mortgage	Add RPAPL 1392	Finance		

NC=No Comment; SAR=Support and Report; OAR=Oppose and Report; ONR=Oppose No Report; SIA=Support If Amended; OUA=Oppose Unless Amended