REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2012 July 06

NYS 2011-2012 Assembly and Senate

2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
A34A S149	A11492	Cahill Maziarz	Provides tax credits for solar	Amd Tax 606	Green		Passed A 1/10/12 Passed S 6/20/12
A45 S3473	A9161 S7423	Latimer Oppenheimer	Prohibits r.e. brokers from providing legal advice or preparing legal documents	Amd RPL 440-c	T&T, UPL		
A128C S4285C	A10657	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
A164 S4079	A3646A S2599B	Cahill Bonacic	Stay of issuance of warrant for eviction for certain holdover tenants	Amd RPAPL 753	L&T		
A300A S6097		Maisel Avella	Moratorium on disposal of fluids used in hydraulic fracturing outside the state		Env		
A347A S4554	A9563A S1988B	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				
A564 S3113	A5610 S1028	Dinowitz Espaillat	Protects non-purchasing senior citizens threatened by eviction under coop/condo conversion plan.	Amd sec 10, Chap 555 of 1982	Coop/Condo		
A626B S667B	A8684B S7515A	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

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A629D S697A	A11465 S8174	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
A635 S387	A6824A S7965	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
A636 S696	A6161A S8100A	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		
A667 S2709	A4557 S2678	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
A715 S1021	A536 S7552	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
A798 S604	A3643 S7545	Dinowitz Peralta	Relates to voting rights in cooperative apartments	GBL	Condo/ Coop		
A885 S437	A4496 S1667	Kellner Krueger	Eliminates certain publication requirements for limited liability companies and limited liability partnerships; repealer	LLCL	Pressman		
A1287 S3256	A835	Dinowitz Espaillat	Prohibits rental on vacancy of unsold condo or coop unit unless plan allowed and members agree	Amd GBL 352-eee	Condo/Coop		
A1309 S2699	A463 S1332	Jeffries Serrano	Repeals permitting rent increases after vacancy	Amd NYC Ad Cd, RTPA, EHRC	L&T		
A1310 S3261	A464	Jeffries Espaillat	Provide financially unable home owner in foreclosure with rt to assigned counsel	Amd RPL 1304	Finance, PI		
A1365 S132	A10502 S7399	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

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A1415D S1462D	A9819 S6755	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.		Passed S 6/11/12 Passed A 6/20/12
A1460 S3259	A10814	Rosenthal Espaillat	Requires landlords to provide rental history on signing vacancy lease	Add NYC Admin Cd 26-517.2	L&T		
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		
A1464 S3119	A5450	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		
A1466A S3121A	A4549	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		
A1719 S521	A5654 S3596	Rosenthal Krueger	Provides that the failure to report a release of hazardous substances is a class A misdemeanor	ECL	Land Use/ Env		
A1729 S451	A5676C S3849	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	A170 S5102	Jeffries Savino	Prohibit home improvement contractors from acting for mortgage brokers	Add Bank 595-c	Finance		Chap 593 of 2011
A1918A S429A	A9409 S1499	Millman Krueger	Requires access to new homes by persons with disabilities				
A1926 S531		Rosenthal Klein	In NYC, rent following dissolution date of Mitchell-Lama developments shall be last rent authorized	Add PHFL 35-a			
A1971 S1220	A191 S1540	Jeffries Stavisky	Limits evictions where complaint registered with local rent office	Add RPAPL 770-a	L&T		

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A2005 S4370	A7062	Weprin Lanza	Provide exemption for first time home buyer from municipal mortgage or recording tax	Add Tax 268	Finance, T&T		
A2015 S3569	A9445A S6290	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	
A2016 S3571	A9452 S6289	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	
A2039 S4963	A10538	Tedisco Ball	Establish co-STAR tax program for senior citizens and farmers/	Add RPTL, Tax, NYC Ad Cd, St Fin			
A2370 S2827	S3537	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]
A2378 S7271	A3386	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		
A2430A S1193A		Rosenthal Stewart-Cousins	Repeal provisions that allow vacancy decontrol	Rpl EHRC, ETPA sections	L&T		Passed A 6/13/12
A2459A S523A	A1928 S745A	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
A2515 S755	A4283 S1096	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	A4521 S1095	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		

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A2560 S1095	A5362 S1933	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	
A2592 S1513		Lopez Klein	Requires companies aided by loans under Mitchell-Lama to notify tenants of possibility of buyout from mortgages	Amd PHFL 35			
A2593 S2341	A1686 S6084	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
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	A8306 S5124	Meng Parker	Provides mechanism to allow owners to remove offensive covenants	Add RPL 291-i	T&T	OAR; RPLS #6 2/17/11	
A3021 S1305	A1294 S1442	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		
A3033 S81	A1685A S2642A	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
A3073 S1278	A1363 S1440	Wright Duane	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
A3596 S906	A2558B S3854	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	S2955	Camara Adams	Grants tenants relocation costs from foreclosure sale	Amd RPAPL 1354			
A3679 S904	A6015 S3846	Gottfried Krueger	Makes warrant execution, not issuance, act which annuls relationship	Amd RPAPL 749(3)	L&T		
A3876 S639	A1371 S2029	Englebright Golden	Establish reverse loan mortgage loan program for low income seniors	Add Pub Auth 2405-f	Finance, PI		
A3909 S68		Ortiz Montgomery	Requires leases in NYC to contain rider re rights and duties re housing part	Add RPL 235-h	L&T		

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A3916 S2566	S466	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	A9441 S6288	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	A3243 S3856	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	S372	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	A4409	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
A4911 S1375	A1403 S1137	Wright Perkins	Provides penalties for warehousing housing for future coop conversion	Amd NYC Ad Cd 26-412, 516, ETPA 12	Coop		
A4981A S546A	A5724 S255	Galef Little	Re taxation of property owned by coop corp	Amd RPTL 581, RPL 339-y	Coop & Condo		
A5023 S3180	A2279 S754	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		
A5026 S3183	A2372 S801	Cusick Defrancisco	Makes indemnification agreements in construction contracts void	Amd GOL 5-322.1	Construct		
A5028 S3176	A10270 S7154	Sweeney LaValle	Extend date for exemptions for first-time homebuyers of new homes to 12/31/16	Amd RPTL 457			Chapter 77 of 2011

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A5029 S3177	A4851	Thiele LaValle	Provide recourse for manufactured homeowners confronted with unjustifiable rent increases	Amd RPL 233, Add 233-b			Passed A 6/21/12
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		
A5700A S1998A	A1643 S41	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 Passed S 5/1/12 Passed A 6/20/12
A5815 S3723	A7689 S6081	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	A7835 S5428	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
A5902 S1409	A8046 S5062	Kavanagh Perkins	Requires listing of names and addresses of members of LLCs on r.p. transfer form	Amd RPL 333	T&T		Pressman
A5948 S458		Kavanagh Krueger	Grants tenant right to withhold rent for failure of landlord to provide heat	Add RPL 235-h	L&T		
A5985 S87	A7388A S2386	Kavanagh Squadron	Requires registration of coop/condo property managers	Add RPL Art 12-D	Condo/ Coop		
A6124 S2744	A9967	Kavanagh Serrano	Extends rent control to June 15, 2014	Amd EHRC, etc	L&T		
A6131 S449	A622	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	A6814	Kavanagh Krueger	Establish criteria for rent increases for major capital improvements	Amd NYC Ad Cd, ETPA	L&T		
A6214 S2376	A5348 S3055	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

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A6341 S1266		DenDekker Addabbo	Provides income tax credit for 3 years for purchase of new primary residence for $1M or less	Amd Tax 606			
A6410 S2727	A10867 S1541	Kavanagh Stavisky	Allow rent reduction based on reduction in services to be retroactive	Amd NYC Ad Cd 26-514	L&T		
A6458 S4203	A9388 S5815	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)
A6541A S6703		Enblebright Lavalle	Establish 5 year moratorium on high volume hydraulic fracturing		Env		
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			
A6684 S4372		Weprin Lanza	Classifying property held in coop form as class one for assessment	Amd RPTL 1802			See also A6852/S4283
A6744A S3149A	S1770	Lancman Lavalle	Judgment of sale in foreclosure shall direct payment by purchaser by bank officer's check	Amd RPAPL 1351	Finance		
A6745 S3148	S1771	Lancman LaValle	Foreclosure judgment must direct that each individual of purchasing group disclose name	Amd RPAPL 1351	Finance		Passed S 4/17/12
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	S8318	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
A6896 S1649	A4409 S126	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	S7958A	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	

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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
A7096A S1078A	A6763 S1339	Farrell Martins	Provide that lender of reverse mortgage to person over 60 may receive NMT 20% of future appreciation	Amd RPL 280	Finance		
A7218A S4220A		Colton Avella	Prohibits use of hydraulic fracturing	Amd ECL 23-0305, add 17-0513	Env		
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	A10977 S7669	Barron Krueger	Prohibits compensation based on home loan terms by mortgage brokers or lenders	Amd Bank 6-l, 6-m, 590-b	Finance		Passed S 3/21/12 Passed A 6/19/12
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	A11443B	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		

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A7716 S5102	A4946	Lopez Ball	Enact bill of rights for residential condo unit owners	Add GBL 352-eeeee	Condo		
A7850 S5489		O'Donnell Golden	Enforcement of environmental control board judgments as tax liens	Amd NYC Admin Cd	Env		
A8040 S6541		Stevenson Diaz	Prohibit mortgagee from refusing to accept partial mortgage payments	Add RPL 254-e	Finance		
A8118 S5118		DenDekker Avella	Classify properties held in condo and coop form as class one-a	Amd RPTL, NYC Ad Cd	Condo/ Coop		
A8300 S2906	S2566	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
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	A8404	Morelle DeFrancisco	Require disclosure of title service charges	Add Ins 6412	T&T	SAR: NYSBA #10 5/16/11	RPLS bill
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			
A8485 S5899		Lifton Seward	Require oil, gas or mineral land lease to be recorded within 30 days of execution	Amd RPL 291			
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			
A8805 S5879A		Abinanti Ball	Regulation of hydraulic fracturing	Add ECL 23-1501-1511, amd 8-0109, add 23-0303(2)	Env		

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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
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
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
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		
A9088 S6684		Millman Valseky	Require reasonable modifications to apartments for seniors and persons with physical impairments	Add RPL 235-h	L&T		
A9109 S6017		Crespo Diaz	Requires lenders, assignees and mortgage loan servicers to submit affidavit before foreclosure	Add RPAPL 1304-a	Finance		
A9123 S3779	S3703A	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			Passed A 6/19/12 Passed S 6/21/12
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		

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2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
A9390B S6522B		Morelle Libous	Amend definitions of private transfer fee obligations to conform to private housing finance law	Amd RPL 472		Goldenberg gave comments	Passed A 4/25/12 Passed S 6/20/12
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		
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		
A9820 S6738		Robinson Seward	Consolidation of bank and insurance departments				Passed A 6/18/12 Passed S 6/21/12
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		Passed S 6/11/12 Passed A 6/14/12
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
A10490 S7666		Clark Seward	Prohibit mortgage servicer from forcing insurance coverage on homeowner	Add Bank 595-d	Finance		
A10524 S7620		Kearns Ranzenhofer	Require plaintiff in mortgage foreclosure actions to provide contact information	Amd RPAPL 1307	Finance		Passed A 6/19/12
A10620 S7711		Farrell Lanza	Provides for tax abatement for solar generating systems in NYC	Amd RPTL 499-bbbb, cccc	Env		Passed A 6/19/12 Passed S 6/21/12

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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	A3715	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	A1409	Wright	Allow tenant to offset cost of emergency fuel and heating plant repairs	Add RPL 235-g	L&T; ComLease		
A535	A1157	Sayward	Would allow LLC publication in newspaper without paid circulation requirement	LLCL 102	Pressman		
A605	A8542	Magnarelli	Relates to smoke detectors in multiple dwellings	MDL			
A638	A1463	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		
A796	A537A	Dinowitz	Governs election of board by residents of cooperatives and condominiums	GBL	Condo/ Coop		
A797	A871	Dinowitz	Creates a subpart of the housing part to handle cases involving condominiums and cooperative buildings	NYCCivCt	Condo/ Coop		
A1035	A3643	Pheffer	Requires registration of home improvement contractors	GBL	Construct		
A1222	A859	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	A986	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	
A1454	A9762	Rosenthal	Imposes civil penalties on landlords for including unenforceable provisions in residential leases	RPL	L&T		
A1597	A8236A S4109C	Jeffries	Foreclosure diversion act of 2011	Amd RPAPL, Bank, Jud/OUA	Finance	OUA; RPLS #4 3/11/11	
A1681	A2371	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	A9431	Lentol	Requires landowners to disclose if property has ever been contaminated from methamphetamines before sale or lease	RPL	T&T		
A2163	A10731 S5497	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
A2195	A1825	Wright	Extends the requirements for property condition disclosure statements to sales of condominiums and cooperative apartments	RPL	T&T; Condo/ Coop		
A2202	A1510	Wright	Creates the Uniform Statutory Rule Against Perpetuities; repealer	EPTL			
A2225	A3903A S8204	Gibson Parker	Require mortgage brokers to be licensed	Amd Bank 590,592-a,592-b	Finance		
A2444	A3593	Clark	Allows right of redemption in foreclosure action against residence	Add RPRPL 1352-a	Finance	OAR RPLS #5 3/11/11	
A2572	A4230	Fitzpatrick	Removes certain restriction on right of eviction for landlord's personal use	Amd NYC Ad Cd 26-408, ETPA 10	L&T		

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A2674A		Lopez	Relates to rent regulation, extends certain provisions, etc	Amd NYC Admin Code, ETPA, EHRC, Tax	L&T		
A2993	A1688 S749	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	A3553 S5497	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
A3082	A10956	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	A2523	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	A2478	Pretlow	Clean-up of petroleum discharges during delivery of home heating oil	Amd Nav 176	Env		
A3538	A6670 S1203	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	A6018	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	A11247	Molinaro	Requires corp petitioning for sale of subst all assets to set forth impact on the public	Amd NPCL 511			
A3745	A1754	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
A3885	A1588A	Englebright	On notification of petroleum discharge, DEC shall notify municipal chief exec and landowners or tenant adjacent to site	Amd Nav 175	Env		

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A3896	A7240	Finch	Enacts wetlands homeowner's relief act	Add ECL 24-0302	Env		
A4508	A5186 S519	Titone	Relates to sales of r.p. by not-for-profit corps	Amd NPCL 509	NFP		
A4656	A4272 S1730	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	A5906	Titone	Require banking institutions to accept statutory short form POA	Add Bank 9-v, 9-w	Finance		
A4707	A7127 S3550	Morelle Breslin	Licensing of title agents	Amd Ins Law	T&T	OUA RPLS #8, 4/6/11	NYSID bill
A4748	A3518A S4078	Perry Sampson	Notice of conveyance to be sent to owners of record	Amd RPL 291, 379, 412, Add RPL 292-b	T&T		
A4801	A4272	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	A6828	Brennan	NY sub-prime predatory lending prevention act	Add Bank 6-n, 590-c; Amd Bank 14, RPAPL 1302	Finance		
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		
A5302	A1430	Wright	Require mortgagees to provide notice when mortgagor no longer required to maintain personal mortgage insurance	Add Bank 6-n	Finance, PI		
A5304		Hooper	Permits landlord to inspect dwellings and exterminate bedbugs	Add RPL 235-h, MDL 85	L&T		
A5547	A10490A	Englebright	Establish moratorium on hydraulic fracturing until 120 days after federal EPA issues report		Env		

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A5558	A7611B	Englebright	Authorize municipalities to establish green loans programs	Add Gen Mun 96-c	Green		
A5567	A5282	Latimer	Establish rent board reform act, rent adjustments, remove provisions re vacancy leases	Amd NYC Admin Code, ETPA, EHRC	L&T		
A5752	A5067	Brennan	Allow sale, mortgage or lease of property by religious corp. if price/debt less than $200,000	Amd Rel Corp 12	Nonprofit		
A5750	A6110	Hooper	Enacts special proceedings to convey abandoned dwellings to low-income individuals	New RPAPL 1975	PI?		
A6172		Weprin	Increase age for reverse mortgage to 62 from 60	Amd RPL, Bank, Ins, PAL, Tax	Finance		
A6259	A5441 S4506	Maisel Kruger	Permits one-time deferral of 2 monthly mortgage payments of residential mortgage	Add RPL 282	Finance		
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		
A6556		Rosenthal	Requires owners to provide lessee with notice of lead paint	Amd NYC Ad Cd 27-2056.4	L&T, Env		
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			
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

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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	A7657A	Reilly	Prohibit landlords from including additional services in tenant's base rent	Add RPL 220-a	L&T		
A7338	A8945A S5934	Barron	Procedures at mandatory settlement conferences in residential foreclosure; requires good faith settlement discussions	Amd CPLR R3408	Finance		
A7718	A3118	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	A473B S748	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
S442	S7798A	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		

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S458	A414 S3858	Kreuger	Grants tenants right to withhold portion of rent for failure of landlord to provide heat.	Add RPL 235-g	L&T		
S700	S1251	Saland	Requiring disclosure of results of water testing of private residences at the time of sale or transfer	RPL	T&T		
S1171	S8388	Parker	Green job on-line financing for retrofit projects	Amd Pub Serv, Pub Auth, RPL 242, Lien 2, 10	Green	OAR	
S1554	A10324A S2867C	Addabbo	Provide purchasers and sellers with voter registration forms at closing	Add RPL 262	T&T		Passed S 5/17/10
S1699	A3318 S2590	Sampson	Requires mortgage bill of rights be printed and posted on internet in 8 most spoken languages	Amd Bank 35	Finance		
S1743	S2035	Golden	Increase minimum age for reverse mortgages from 60 to 62; permit for coops	Amends RPL 280 & 280-a	Finance, T&T		
S1899	S442	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	S1693	Kruger	Makes covenants and restrictions against religious display void	Add GOL 5-335	T&T		
S2287	S828	Kruger	Render void exclusive agreements between brokers and sellers of residential non-multiple dwellings in NYC where asking price is less than $1M	Add GOL 5-329	T&T		
S2394	S3464	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			

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S2594	S2519	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 A3745
S2619	S352	Kruger	Prohibit bank from charging service charge or min balance for IOLA accounts	Add Bank 9-v	Finance		
S2668	S338	Kruger	Provides for the licensure of agents of authorized title insurance companies	Amd Ins 2101	T&T		
S2696	S8071	Avella	Eligibility for acceptance into brownfield cleanup program	Amd ECL, Tax, Gen Mun	Env		
S2744	S6881	Serrano	Amends provisions relating to stabilization of rent, recontrol of rents and conversions to coops/condos	Amd EHRC, etc	L&T, Coop/ Condo		
S2763	S5044	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	S4875	Smith	Disclosures re refinancing of existing mortgage	Amd Bank 595-a	Finance		
S3671	A167 S3491	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	S4418	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		

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S4220B		Avella	Prohibits use of hydraulic fracturing	Amd ECL 23-0501, 0503	Env		
S4338	S5248A	Ranzenhofer	Reinstates middle class STAR rebate for 2012-2013 and thereafter	Add RPTL 1306-b, Tax 178			
S4413	S3807	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			
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	S5088	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		

NYS 2009-2010 Assembly and Senate

	A362 S1541	Peralta Krueger	Rent reduction under rent stabilization law based on reduction of services shall be retroactive		L&T, Low Inc Hsg		
	A415 S3855	Kavanagh Kreuger	Provides for tenant rights omnibus act	Amd NYC Admin Cd	L&T		

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	A626 S7155	Paulin Oppenheimer	Require local building and planning regs to accomodate use of renewable energy resources	Amd Town 263, Vil 7-704	Env		Passed A 3/8/10
	A738 S258	Gunther Little	Authorizes real property taxing authorities to impose service charges upon otherwise tax exempt property.	Amd RPT 102	Condemn; Not-for-Profit		
	A1211 S3132	Destito Kruger	Require coop provide purchaser with written reasons when withholding consent	Amd Civ Rts S19-a	Coop Condo		
	A1266 S1551	Colton Stavisky	Eliminate rent regulation for certain high income tenants and high rent apartments	Repeal EHRC, NYC Ad Cd, ETPA, Tax	L&T, Low Inc Hsg		
	A1298 S1139	Wright Perkins	Establish new funding for affordable housing in NYC with surplus revenues of BPCA	Amd PHFL 654-c	Low Inc Hsg		
	A1364B S4672A	Brodsky Libous	Revise PCDA	Amd RPL 462, 464, 465	TF on Disclosure	SAR: RPLS #2, 02/19/09 SAR; RPLS #22, 6/10/08	
	A1433 S1138	Wright Perkins	Establish home ownership assistance program	Add Pub Hsg 170-176	Low Inc Hsg; PI		
	A1435 S1441A	Wright Duane	Requires landlord to return security deposit within 30 days of surrender of premises unless landlord provides list of reasons for retention	Add GOL 7-104	L&T; ComLease		
	A1847 S3086A	Morelle Valesky	Clarify grounds for eviction where dwelling used for gambling or drugs	Amd RPAPL 711	L&T		
	A2096 S1221	Schroeder Thompson	Prohibit mortgagees from requiring purchase of flood ins exceeding value of loan	Add RPL 282	Finance		
	A2703 S405	Gantt Robach	Requires notice of foreclosure be served on all tenants	RPAPL 1402, 1405	Finance; L&T	ONR	Passed S 6/23/09
	A3073 S1382	Clark Stavisky	Provides that SCRIE tax abatements be applicable to 1/4 rather than 1/3 income	RPTL 467-b	L&T		

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	A3353 S1988	Bradley Valesky	Provides vested rights to develop or alter property under codes for 180 days after application	Add Gen Mun 150	Land Use; T&T	NC	
	A3423 S1365	Bradley Thompson	Prevents individuals being denied standing in private actions alleging violation of env quality review provisions	Add ECl 8-0119	Env	Env	Same as A9480 Passed A 2/25/09
	A3659 S1241	Hoyt Thompson	Increase accountability, efficiency and transparency of IDAs	Amd Gen Mun, Econ Dev, Labor, Pub Auth	Low Inc Hsg		Passed A in 08; NYSEDC opposes
	A4877 S1794	Kavanagh Duane	Prevents landlords from receiving financial windfall from major capital improvements funded by NYSERDA	Amd ETPA 6, NYC Ad Cd 26-405	Low Inc Hsg		
	A5316A S5296	Silver Squadron	Re adjustment to maximum allowable rent	Amd NYC Ad Cd, EHRC	L&T		Passed A 6/17/09 Passed A 4/27/10
	A5358 S1182	Spano Klein	Requires prevailing party in foreclosure to maintain property	Add GOL 9-102	Finance	OAR(+dissnt) RPLS #8 03/31/09	Passed S 09
	A5700 S2898	Morelle Stachowski	Make permanent provisions re ability of NFP entity to access IDA financing	Amd Gen Mun 854	Low Inc Hsg; NFP		NYSEDC supports
	A6004 S2570	Diaz Diaz	Provides for extension of time to purchase for tenants in coops	Amd GBL 352-eeee	Coop		
	A6013 S5617	Gottfried Krueger	Relates to vacancies and illegal use in coop/condo conversion plans	Amd GBL, ETPA, NYC Ad Cd, EHRC	Coop/ Condo		
	A6026 S1941	Hoyt Stachowski	Requires appraisers to report appraisals of 1-4 family residences in Buffalo to office of real property services	Add Exec Art 6-E, amd RPTL 214	Meyer		
	A6297B S1363C	Titus Klein	Provides eviction notice protections to tenants of foreclosed properties	Amd RPAPL 1303	L&T, Finance	OAR; RPLS #15, 6/18/09	Passed S 5/6/09
	A6363 S848	Sweeney Marcellino	Provide DEC with authority over freshwater wetlands of one acre or more	Amd ECL 24-0105 et al	Land Use & Env		Passed A 5/5/09 Passed A 4/20/10
	A7083A S3506	Jaffee Thompson	Creates well water education act	Amd PHL 206, RPL 444-g, 466	T&T		Passed A 6/22/09

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	A7105 S1944A	Hoyt Stachowski	Require foreclosing party to designate agent to accept service if property vacant	Add RPAPL 1305	Finance	OUA RPLS #17, 5/06/09	
	A7142 S3481	Townsend Volker	Re illegal occupancy of MDLs by broadening present law	Amd RPAPL, RPL	L&T		
	A7438 S1946	Hoyt Stachowski	Requires listing of names and addresses of LLC members on r.p. transfer report form	Add RPL 333(1-e)(9)	T&T		Pressman
	A7737 S3716	Skartados Parker	Increase penalty from $100 to $500 for violation of Truth in Heating Law and add disclosure requirement to PCDS	Amd Energy 17-103, RPL 462	TF on PCDA	NC	Same as A8709/S5978
	A7738 S3726	Towns Foley	Powers of banking board re suspending mortgage bankers and brokers for cause; interest rates on mortgages after default	Amd Bank, RPL 254-b	Finance		
	A7746 S1347	Kellner Duane	Enacts provisions as to rent-to-own sales practices and disclosures	Amd PPL 501, 505, 503	Finance		
	A8571 S5821	Hoyt Stewart-Cousins	Authorize cities and towns to establish community preservation funds	Add Gen Mun 6-t, Tax 1385-1399	T&T		
	A8709 S5978	DelMonte Parker	Increase Truth in Heating penalties; add to PCDS	Amd Energy 17-103, amd RPL 462 Add to PCDS	TF on PCDA	NC	Same as A7737/S3716
	A8917 S5931	Weinstein Klein	Re home mortgage loans, crime of mortgage fraud and filing of transfers and assignments of mortgages	Amd RPAPL, CPLR, Bank, Penal, RPL	Finance		Passed A 6/22/09
	A9480 S1635	Sweeney Thompson	Prevents individuals being denied standing in private actions alleging violation of env quality review provisions	Add ECL 8-0119	Env		Same as A3423 Passed A 6/17/10
	A9710A S6610A		Add tax on recording security agreement on coop	Budget Bill Part P	Condo Coop	OAR: RPLS #23, 3/10/10	Withdrawn
	A11410 S8182	Lopez Espada	Extend emergency housing rent control law until 2018	Amd Emerg Hsg Rent Con	L&T		Passed A 6/16/10

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2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A11540 S8154		Establish action by residential tenants to recover for willful neglect	Add RPAPL 854	L&T		
	A11548 S8838	Sweeney Thompson	Municipal sustainable energy financing program; lien priority	Amd GML	Finance, T&T		Passed S 6/28/10
	A42013 S68013		On-bill financing of energy efficient improvements		Green RE	OUA	Passed A 11/30/10

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	A233	Benjamin	Prohibits entities from engaging in the business of offering, at the same time and place, certain real estate related services to first time home buyers	Add GBL 359-c	T&T		
	A257D	Peralta	Requires lenders and brokers to provide mortgage bill of rights pamphlet	Add Bank 35	Finance		Passed A 5/7/08
	A355B	Peralta	Min. fine of $2500 for persons who knowingly rent res. r.p. in violation of state or local occupancy limits or zoning	Mult. Res. L 304(2)	Land Use		
	A465	Jeffries	Prohibits owner from adjusting preferential rent on renewal; only allows adjustment on vacancy not due to lack of habitability	Amd ETPA 10, NYC Ad Cd 26-511	Low Inc Hsg; L&T	NC	Passed A 4/27/10
	A607	Dinowitz	A.G. shall refuse letter that r.e. syndication offering filed unless it shows use is legal and authorized by bldg and health laws and regs	Amd GBL 352-e	Condo		Passed A 2/1/10
	A674	Cahill	Require landowner and surveyor to notify adjacent owners of survey and discrepancies between maps of subdivided parcel before sale	Amd RPTL 503, RPL 334, Add RPL 334-b	T&T		
	A678	Cahill	Requires every assessing unit to update assessments NLT every 5 years	Add RPTL 306	Condemn		
	A857A	Bing Padavan	Provides that rent in NYC limited profit housing companies following dissolution shall be last rent authorized	New PvtHsgFin L 35-a	Low Inc Hsg, L&T	NC	Passed A 09 & 3/8/10

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REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2012 July 06

2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A858	Bing	Require Mitchell-Lama coops seeking to dissolve to offer buy-backs	Amd Pvt Hsg Fin 35	Low Inc Hsg, L&T		
	A860	Bing	Update luxury decontrol thresholds to $2700 rent and $240,000 income, with annual updates	Amd ETPA 5,5a, etc	Low Inc Hsg, L&T	NC	Passed A 08 Passed A 09
	A861	Bing	Grant tenant association in Mitchell-Lama the first option to purchase at fmv	Add Pvt Hsg Fin 38-38-1	Low Inc Hsg, L&T		
	A955	Bing	Increases threshold for mansion tax to $1.75M	Amd Tax 1402-a		SAR RPLS #3, 02/19/09 SAR: RPLS #7, 6/11/07	
	A1062	Bing	Simplify application process for DRIE	Amd RPTL 467-b and 467-c	Low Inc Hsg, L&T		Passed A 08
	A1217	Destito	Settlement of judicial proceedings for review of r.p. assess. only upon agreement of all parties	RPTL 720	Condemn		
	A1238	Lancman	Provides $250 tax credit to borrowers for counseling session prior to closing loan	Add Bank 9-v & RPTL 420-d	Finance, PI		
	A1256	Lancman	Requires exemption from local mortgage or recording tax for refinancing	Add Tax 253-x	Finance		
	A1260	Colton	Makes reclassification of rent controlled dwelling retroactive to time of decrease in income	Amd RPTL 267b	L&T		
	A1287	Wright, K	On sale of ltd profit hsg co project, reserve and surplus funds must be held in escrow for capital improvements	Add PHFL 36-b	L&T		
	A1423	Wright	Allow tenants in multiple dwellings to offset cost of repairing habitability-impairing conditions	Add Mult Res 305-b; MDL 302-d	L&T		
	A1438	Wright	Establishes procedures for restoring wrongfully evicted tenant to possession	Add RPAPL 750	L&T, ComLease		
	A1443	Wright	Requires tenants in housing court proceedings be given info as to rights	Amd NYC Civ Ct Act 110	L&T	OAR: RPLS #5, 03/31/09 OAR: RPLS #9 6/11/07	

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REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2012 July 06

2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A1449	Wright	Requires property disclosure statement as to square footage from seller of residential property	Add RPL 462-a	T&T; L&T		
	A1460	Wright	Provides for stay of eviction of tenant from multiple dwelling if tenant may qualify for social services assistance until determination of eligibility	Amd RPAPL 756	L&T	NC	Referred to judiciary 1/3/07
	A1644	Bing	Exclude social security income from calculation of SCRIE	Amd RPTL 467-b, 467-c	Low Inc Hsg, L&T		Passed A 08
	A1687	Lopez	Permits declaration of emergency under EMTPA for rentals in section 8 buildings (revoke Urstadt Law)	Amd NYC Ad Cd 26-504, ETPA 5	Low Inc Hsg, L&T	NC	Passed A 09 Passed A 4/27/10
	A1776	Morelle	Increase property value to $95,000 and rent paid to $600/mo to qualify for f/p. circuit breaker tax	Tax 606	L&T		
	A1975	Lifton	Entitles state to lien to recover costs under hazardous waste remedial fund	Add ECL 27-1325	Env		
	A2002	Silver	Amd civil penalties for violation of admin orders or for harassment to obtain vacancy of unit	Amd NYC Ad Cd 26-526, 26-413	L&T	NC	Passed A 09
	A2005	Rosenthal	Makes conforming technical changes relating to vacancy decontrol; L&T;	Amd NYC Ad Cd & ETPA	L&T	NC	Passed A 09 Passed A 4/27/10
	A2080	O'Donnell	Re special proceeding by tenants in certain areas alleging unsafe conditions	RPAPL 770, 775; new 784	L&T	NC	
	A2097	Schroeder	Disposition of surplus funds from tax lien foreclosure sales in Buffalo		Meyer		
	A2577	Weinstein	Directs brokers to hold escrowed monies in IOBA accounts (like IOLA)	New RPL 444	T&T	NC	Passed A 08
	A2992	Pheffer	Requires sellers of residential r.p. to disclose result of radon tests for sales, exchanges, leases w/ option	New RPL 444	Environ	NC	
	A3066	Benjamin	If exemption is claimed for prior mortgage, requires filing of a statement under oath as to prior mortgage	Amd Tax L 255(2)(a)	Finance		

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REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2012 July 06

2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A3074	Clark	Increases penalties of building code violations re lead paint	Amd Pub Health 1373	T&T, Env		Passed A 09 & 2/23/10
	A3192	Towns	Requires loan counseling disclosure for commercial and residential contracts of sale	Add RPL 242-a	T&T		
	A3407	Perry	Any head of household issued a tax abatement certificate for 5 years not required to file every 2 years	Amd RPTL 467-b, 467-c			
	A3456	Meng	Allow recording of documents modifying unlawful restrictive covenants	Add RPL 291-i	T&T	OAR: RPLS #23, 6/11/08 RPLS #18, 6/10/09	From sponsor of vetoed A5182; Colavito
	A3513	Gianaris	Expands right of surveyors to place a lien for services	Amd Lien 3	T&T	OAR: RPLS #6, 03/31/09	
	A3838	Lentol	Requires landlord to return security deposit within 30 days; provide damage statement to tenant; interest bearing accounts	GOL 7-103	L&T	NC	Passed A 3/3/08 Passed A 05/20/09
	A3935	Raia	Exempt refinancing of residences for less than $300,000 from mortgage tax	Amd Tax 252-a	Finance		
	A4329	Heastie	Requires notary publics to provide evidence of identity for notarial act and maintain journal	Amd Exec 135	T&T		
	A4734	Lafayette	Prohibits home improvement contractors from acting on behalf of mortgage brokers	Add Bank 595-b	T&T		Passed A 08
	A4753	Clark	Authorizes stay in proceedings to recover possession based on non-payment and authorizes payment of installments	New RPAPL 754	Finance	NC	
	A4948	Lopez	Enact bill of rights for residential coop and condo unit owners	Add RPL 339-v, GBL 352-eeeee	Condo-Coop		
	A4955	Lopez	Provide private right of action for violations of Martin Act	Amd GBL 352-e	Coop-Condo		

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REAL PROPERTY LAW SECTION - LEGISLATION CHART – 2012 July 06

2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	A5027	Brodsky	Require sewage treatment plants near capacity to certify sewage hookup before issuance of title insurance	Add Gen Mun 99-v	T&T		
	A5134	Lopez	Limit late charges in residential leases to NMT 2%	Add RPL 235-g	L&T		
	A5191	Alessi	Require disclosure in transfer report as to agricultural district; failure prevents deed recording	Amd RPL 333, 310; RPLS 574	T&T		
	A5387	Maisel	Establish separate part of NYC Civil Court for 2 and 3 family homeowners	NYC Civ Ct 110	L&T		
	A5753	Lopez, V.	Provides that "mortgage include loan secured by second lien on fee simple or leasehold"	Pub Auth L 2402, 2405, 2405-b,2428	Finance	NC	See also A7647 Passed A 5/27/08 Passed A 5/11/09
	A5767	Sweeney	Authorizes cities and towns to impose tax of up to 2% on r.e. transfers to create community preservation funds	Amd Gen Mun 248, add Tax 1580-1594	T&T		Passed A in 2008; Similar to S381
	A6756	Brennan Padavan	Provides foreclosure relief of one year moratorium for unaffordable mortgage loans	Amd RPAPL 1304	Finance	OAR: RPLS #20 6/5/08 OAR: RPLS #7, 03/31/09	Passed A 5/7/08
	A7287	Grannis	Online listing of property for sale or rent	RPL §§440, 442-k(1), 446-a	TF Fraud; T&T	Lynch memo?	Passed A 08 Passed A 6/1/09
	A7377	Benjamin	Makes illegal conversion or alteration a class E felony	Add Penal 145.75			
	A7689	Alessi	Re manufactured homes certificate of title, conveyance and encumbrance	Amd Exec, RPL	T&T		
	A8011	Hoyt	Smart growth public infrastructure policy act	Add ECL 6-0101-0109	Land Use		Passed A in 2008
	A8917	Weinstein	Re home mortgage loans, crime of mortgage fraud and filing of assignments of mortgages		Finance		

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	A8993A	Weinstein	Provides for foreclosure of mortgages of $5M by power of sale, enforcement of security interest in coop under RPAPL Art 13		Finance	OAR; RPLS #19, 6/22/09	
	A10499	Hyer-Spencer	Establishes set back requirements for wetlands	Amd ECL 24-701	Env		

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	S134B	Sampson	Requires loan counseling disclosure rider to be attached to contract of sale	New RPL 242a	T&T; Finance	SAR: RPLS #9A, 5/13/09	Passed S 5/13/09
	S254	Little	Directs the state board of real property services to promulgate a uniform assessment code.	Amd RPT 202	Condemn		
	S256	Little	Requires market-based assessments on real property owned or leased by a cooperative corporation or on a condominium basis.	Amd RPT 581, RPL 339-y	Condemn		
	S381	Breslin	Authorizes cities and towns to impose tax of up to 2% on r.e. transfers to create community preservation funds	Amd Gen Mun 248, ECL 49-209, add Tax 1449	T&T		Passed A in 2008; Similar to A5767
	S609	Lanza	Provides for termination of state mortgage recording tax	Amd Tax 253	Finance; T&T		
	S663	Larkin	Authorize lien for unpaid common charges owed to HOA	Add Lien 42-a	Condo		Passed S 08 Passed S 09
	S1012		Changes formula determining combined household income limit for tax abatement for rent regulated senior citizens	Amd RPTL 467	L&T		
	S1134	Perkins	Increase maximum income allowable for SCRIE annually to reflect CPI	Amd RPTL 467-b, 467-c	Low Inc Hsg		
	S1339	Skelos	Lender may receive no more than 20% of future appreciation in reverse mortgage to person 60 years or older	Amd RPL 280	Finance	NC	Passed S 08 Passed S 6/23/09

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2011-12 #	2009-10 #	Legislator/ Sponsor	Subject/Statute	Amends/Adds	Referred to	RPLS Des/ Memo	Comments/Status
	S1524	Duane	Requires tenants in housing court be given certain information in bold print at end of petition for eviction	Amd NYC Civ Ct Act 110	L&T		
	S1692	Kruger	Prohibit increase in rents unless essential services maintained	Amd Prv Hsg Fin 31	Low Inc Hsg		
	S2140	Kruger	Eliminate power of ltd profit hsg co to remove person who exceeds max income limit	Amd Pvt Hsg Fin 31, 125	Low Inc Hsg		
	S2601	Flanagan	County clerk not to accept document for recording if unnecessary personal id info on document	Add County 528-a, Add CPLR 8021-a, Amd RPL 333	T&T		
	S3848	Krueger	Allow tenants to recover attorneys fees and damages where landlords act in bad faith in non-primary residence evictions	Ame NYC Admin Cd	L&T		
	S3913	Adams	Require notice of foreclosure to all tenants of foreclosed buildings	Add RPAPL 1303-a, RPL 262	L&T Finance		
	S4871	Foley	Relates to unauthorized entities, unregistered mortgage brokers and mortgage fraud	Add Bank 78a, 598a, amd 590, 598	Finance		
	S5589	Sampson	Makes technical corrections to POA	Amd GOL	TF on POA		See also A8392 and S5910
	S5910	Onorato	Makes technical corrections to POA	Amd GOL	TF on POA		See also A8392 and S5589
	S5983	Farley	Extend Art 14 non-judicial foreclosure for 1 year			SAR; RPLS #20, 6/22/09	
	S6636	Monserrate	Require mortgage lenders and brokers to provide mortgage bill of rights pamphlet	Add Bank 35	Finance		
	S7998A	Krueger	Presumption of dismissal of residential mortgage foreclosure actions for repeated plaintiff non-appearance	Amd CPLR 3408	Finance		Passed S 6/15/10
	S68013		On-bill financing of energy improvements	Pub Serv; Pub Auth	RPLGreen RE		

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