

Section of Law	Old Law	New Law	Proposal
Section 235-e (d)	New Section	<p>If Lessor or agent fails to receive rent within 5 days of the date specified in a lease agreement, landlord shall send tenant by certified mail, written notice stating the failure to receive the rent payment.</p> <p>Landlord will need to attach and provide proof of this certified mailing in the Notice of Petition and Petition. If landlord fails to deliver this notice in this method, it may be used by tenants an affirmative defense in any non-payment of rent proceeding.</p> <p>A8281/S6458 Bill § 9</p>	<p>(Bill Draft 1)</p> <p>-Would strike sub-section d entirely from law.</p> <p>-The new 5 day notice is duplicative and confusing to tenants as well as costly to landlords. This proposal would avoid Fair Debt Collection issues that may arise due to confusion of notices.</p>
Real Property Action and Proceedings RPAPL 711(2)	Previously where a demand for rent could be made by oral or written demand and was a 3 day notice-to-quit for non-payment of rent.	<p>New law requires written demand for the rent that is now 14 days notice not 3.</p> <p>A8281/S6458 Bill § 12</p>	<p>(Bill Draft 1)</p> <p>-Maintains the provision requiring written demand, and would clean up the notice process by clarifying that one 14 day notice provided after the rent is late 6 days will suffice- thus eliminating expensive dual notice requirements that cost the landlords money and confuses the tenants.</p> <p>-Just like the new law, the tenant would have 20 days to pay.</p>
RPAPL 731(4)	New Section	Adds new section (4) which states that in any action for non-payment of rent, payment	<p>(Bill Draft 1)</p> <p>Adds language to say that the payment</p>

		to the landlord of the full amount prior to the hearing on the petition, shall be accepted by the landlord and renders moot the grounds on which the special proceeding was commenced.	received has to be cash or certified funds in order to render the grounds for a non-payment proceeding moot. Eliminates the issue of other types funds not clearing, thus leaving the landlord with no grounds for a proceeding and no payment.
		A8281/S6458 Bill § 13	
Section of Law	Old Law	New Law	Proposal
Serving a Warrant for Eviction RPAPL 749(2)	A Sheriff, Constable, Marshall serve a warrant that gave at least 72 hours notice, excluding Saturday, Sunday and holidays.	A Sheriff, Constable, Marshall serve a warrant that shall give at least 14 days' notice and shall execute the warrant on a business day between the hours of sunrise and sunset.	(Bill Draft 2) -Maintains the provision to serve eviction warrants on a business day between sunrise and sunset. -Reverts back to the old law on giving 72 hours notice instead of 14 days for eviction as the result of a breach of lease or holdover tenancy. -Establishes a provision to give 7 days notice in writing to serve a warrant for eviction due to the nonpayment of rent, as well as requiring the warrant to be served on business days between sunrise and sunset.
		A8281/S6458 Bill § 19	
Section of Law	Old Law	New Law	Proposal
General Obligations Law Section 7-108	New Section on Security Deposits	-Applies to all non-rent stabilized dwelling units, one month's rent under any contract.	(Bill Draft Three) -Clarifies the provisions of the rent laws from last year on security

		<p>-No security deposit shall exceed one month's rent under any contract.</p> <p>-The entire amount of the deposit shall be refundable to the tenant upon the tenant's vacating except for an amount lawfully retained for the reasonable and itemized costs due to non-payment of rent, damage caused by the tenant beyond normal wear and tear, non-payment of utility charges payable directly to the landlord under the terms of the lease, and moving storage costs of tenant's belongings.</p>	<p>deposits do not apply to short term rental properties.</p> <p>-Clarifies that the section on security deposits does not apply to Senior Housing, thus making it easier for seniors with bad credit on paper due to their relative lack of income to get approved for housing.</p> <p>-Changes security deposit law from only being able to require one-month security deposit to allow tenants and landlords to agree to a higher deposit as a means to securing a lease if the tenant does not meet the financial qualifications of the landlord.</p> <p>-Clarifies tenants can pre-pay rent and the landlord shall in good faith return that money if the premise is vacated in violation of the lease.</p>
		A8281/S6458 Bill § 25	
Section of Law	Old Law	New Law	Proposal
General Obligations Law Section 7-108	New Section of Security Deposits	-Limited Security Deposits to 1 month of rent A8281/S6458 Bill § 25	Bill Draft #4 -Strikes the provision limiting security deposits to one month of rent