



2024 State Legislative Update: Real Property Law Section

We've come to the end of the 2024 Legislative Session, with several actions taken by the Legislature that may be of interest to your committee. Please reach out to the GR team with any questions about any particular legislation of interest that you don't see on the following list. Any memoranda and letters drafted by the committee in support of or opposition to legislation were shared by the Government Relations team, and the team looks forward to working with the committee as we move into the second half of 2024.

Legislation of Interest

- A407(Epstein)/S318(Salazar): Requires the recording of mezzanine debt and preferred equity. This legislation did not move in either house this session.
- A329-B (Walker)/S5688-A(Comrie): Requires notaries public and commissioners of deeds to complete and retain certain documents relating to the transfer of residential real property. This bill passed the Senate. It was ordered to third reading in the Assembly but did not pass.
- A1221(Rosenthal)/S133(Krueger): Relates to the right of tenant association to have the first option to purchase a housing unit. This legislation did not move in either house this session.
- A759 (Rosenthal L): Requires non-preferential opportunity for use of amenities in certain buildings and apartments. This bill advanced to third reading in the Assembly but had no same-as in the Senate.
- A1228 (Jacobson): Requiring that certain sellers of real property provide a certificate of occupancy to the purchaser of the real property. This bill had no same as in the Senate and did not move in the Assembly.
- A2685(Walker)/S5789(Sanders): Requires cooperative housing corporations provide a prospective purchaser with a written statement of reasons when withholding consent to a purchase. This legislation did not move in either house this session.
- A3353 (Mitaynes): Establishes the "tenant opportunity to purchase act." This bill had no same-as in the Senate and did not move in the Assembly.
- A3827 (Rosenthal L)/S5905 (Brisport): Prohibits naming dependent children under the age of 18 in petitions to recover possession of real property and eviction warrants. This bill passed the Senate. It was ordered to third reading in the Assembly but did not pass.
- A4428 (Steck)/ S1728 (Sanders): Requires the modification of restrictive covenants prior to the sale of real property. This bill passed the Assembly. It was ordered to third reading in the Senate but did not pass.
- A4454(Hunter)/S305(Salazar): Prohibits eviction without good cause. This legislation was opposed by the Section with a Memo in Opposition in 2021. This legislation did not move in either house this session.

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- A4724(Rosenthal)/S1734(Krueger): Provides that upon sale of a limited-profit housing company project, reserve and surplus funds must be held in escrow and dedicated to major capital improvements. This legislation did not move in either house this session.
- A5301(Slater)/S6522(Ashby): Prohibits the acquisition of real property by foreign countries and entities of particular concern. This legislation did not move in either house this session.
- A5700(Kelles)/S162(Hoylman-Sigal): Limits the authority of cities, villages, and towns to impose certain zoning requirements. This legislation did not move in either house this session.
- A6241-A(Reyes)/S3320(Sepulveda): Creates the residential condominium owner bill of rights. This house passed the Senate but did not pass the Assembly.
- A6921-B(Epstein)/ S3566-B(Cleare): Provides for the conversion of condominium ownership for the preservation of expiring affordable housing in the city of New York. This legislation was advanced to third reading and committed to rules in the Senate but did not have much movement in the Assembly.
- A8287(Burke): Requires a landlord to pay a fee to a tenant if they evict such tenant without cause. This legislation did not move in the Assembly and was not introduced in the Senate.
- A8422(De Los Santos)/ S7983 (Cleare): Relates to adding dwelling occupants to residential dwelling or housing accommodation leases. This bill had no movement this session in either house.
- A8479(Mamdani)/S7798(Liu): Repeals the tax-exempt status of private universities that receive real property tax exemptions of one hundred million dollars or more. This bill showed no movement this session.
- S943-A (Parker)/ A5050 (Braunstein): Relates to establishing an abatement and exemption from real property taxes for capital improvements to reduce carbon emissions. This bill showed some movement in the Senate, but did not pass either house.

NYSBA saw a number of bills supported by Association policy pass in both houses this session, including:

- Among NYSBA's legislative priorities for 2024 was the passage of [A7241-A\(Lavine\)/S8663\(Hoylman-Sigal\)](#), a bill which would exempt non-electronic notarial acts from the record-keeping rules and regulations set forth by the Department of State.
- [S895-B/A6789-B](#), a bill which requires disclosure of certain social media terms of service. This bill was supported by the Task Force on Combatting Antisemitism and Anti-Asian Hate's [Report](#), adopted by NYSBA's House of Delegates in January 2024.
- [S7524/A10350](#), a bill which would expand current authority for the use of e-filing in the courts. This bill was supported by Committee on Court Structure and Operations' [2012 Report](#) along with the [2023 Report](#) by the Task Force on the Modernization of Criminal Practice.
- [S206-A/A1432-A](#), a bill which removes the lifetime ban on jury duty for convicted felons. This bill is supported by the Task Force on Racism, Social Equity and the Law's [2023 Report](#).
- [S7567-A/A9143](#), a bill to ensure state-paid judges and justices receive death benefits even if they were not retired by the time of their death. [A resolution](#) was adopted by the Association in 2015 to support this policy.



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- [S5414/A5366](#), a concurrent resolution to remove the current constitutional cap on the number of supreme court justices, allowing the legislature to set the number of judges as they do for every other court. The Committee on the New York State Constitution supported this issue in their 2017 [Report on the Judiciary Article of the NYS Constitution](#).
- [S9839/A10540](#), a bill which increases the number of Family Court judges throughout the state as well as increases the number of judges of the Civil Court of the City of New York. The Committee on Family and the Law's [2022 Report](#) supports this policy.