



August 5, 2025

The Honorable Kathy Hochul  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

*Re: Support for S.6822-A(Gianaris) / A.1672-A(Rosenthal)*

Dear Governor Hochul:

The New York State Bar Association (NYSBA) Committee on Animals and the Law supports S.6822-A (Gianaris) / A.1672-A (Rosenthal), which amends the General Business Law, Section 753-e, to prohibit repossession clauses in contracts for the purchase or financing of a dog or cat through an online website.

General Business Law (GBL) § 753-e, signed into law in 2018, prohibits predatory lending<sup>1</sup> in the retail pet marketplace. It ended financing agreements for the purchase of a dog or cat that included a security interest in that dog or cat as collateral. Under these contracts failures to make timely payments resulted in repossessions of what were now treasured family pets.

This important legislation closes a significant loophole regarding online sales that was overlooked when GBL § 753-e was enacted.

However, financing agreements by out-of-state online sellers contain choice of law and forum provisions favoring other states. Those states often do not prohibit security interests in and repossession of family pets as banned by New York's GBL § 753-e. New York pet purchasers who buy in the online marketplace risk predatory lending agreements lawful in other states, costly out-of-state litigation, the need for out-of-state counsel, and interference with good credit if they miss a payment and the lender seeks to repossess the pet. Most dangerously, these buyers face loss of their cherished family pet. These unsuspecting New Yorkers are largely unaware that they are not owners-of-record of their pets even if they had been making timely payments for years. Since a pet's family is not the legal owner during the lease, such contracts may also interfere with major decisions concerning the pet's medical care and other important issues.

The 2018 enactment of GBL § 753-e noted as part of its rationale the need for protection against predatory finance companies.<sup>2</sup> Despite the enactment of prohibitions on pet leasing in several states, many of these lenders continue to operate online.<sup>3</sup> This legislation would require online

---

<sup>1</sup> Clark, Patrick, *I'm Renting a Dog? Can purebreds on leases democratize credit? The Nevada behind Wags Lending thinks so*, Bloomberg, Mar. 2, 2017, <https://www.bloomberg.com/news/features/2017-03-01/i-m-renting-a-dog> (last visited Jul. 10, 2025).

<sup>2</sup> E.g., see <https://www.royalempirefrenchies.com/> (last visited Jul. 21, 2025).

<sup>3</sup> Solomon, Rahel and Gralnick, Jodi, *Considering a new pet? ASPCA warns against pet leasing arrangements*, CNBC (September 21, 2019), <https://www.cnbc.com/2019/09/21/aspca-warns-against-pet-leasing->

sellers and lenders to abide by New York's existing ban on securitization and repossession.

Repossession of "leased" dogs or cats is traumatic for the family that falls behind in monthly payments. Repossession poses significant harms to the affected animals. These harms to humans and cats and dogs cannot be ignored.

Much like their owners, pets develop dependencies and attachments to their adopted family. Even pets placed in excellent shelters can suffer stress-related physical and emotional illness from the change of environment and familiar routines.<sup>4</sup> Returning a pet to a seller or debt collector creates even more risk of harm to that animal. If the cat or dog does not find a new home, presuming there is even an attempt to do so, no provision in the lease prevents the seller or lender from having the pet placed in a shelter or euthanized.

These pets are no longer adorable, marketable puppies or kittens. Unlike a boat or car, or even a horse, there is no secondary market for these full-grown animals. The now two- or three-year-old dog or cat now only has value to the family devastated by its taking. Repossessed full grown dogs or cats are less likely to be adopted. Pet repossession leads to further overcrowding and financial strain for New York's animal shelters and rescues. For the animals themselves it may lead to premature death.

Enactment of this legislation ensures that New Yorkers who purchase or lease cats and dogs online will enjoy the same consumer protections as New Yorkers who purchase or lease in-state. Enactment means dogs and cats bought online will have the same protections as those bought in-state. Equitable treatment and animal welfare demand enactment of this legislation.

Based on the foregoing, the Committee on Animals and the Law supports the enactment of this legislation and urges the Governor to sign S.6822-A/ A.1672-A into law. If you have any questions, or seek further information, please contact NYSBA's General Counsel, David Miranda, who can be reached at [dmiranda@nysba.org](mailto:dmiranda@nysba.org).

Respectfully,

Committee on Animals and the Law

---

[arrangements.html](#) (last visited Jul. 22, 2025). See also Lalljee, Jason, *42 states still allow pet leasing – meaning Fido could get repossessed just like your house or car*, Business Insider (April 16, 2022), <https://www.businessinsider.com/42-states-allow-pet-leasing-pet-repossessed-dogs-cats-debt-2022-4> (last visited July 22, 2025).

<sup>4</sup> Collaborative for Shelter Dogs, Cummings School of Veterinary Medicine at Tufts University, <https://sites.tufts.edu/collaborativeforshelterdogs/> (last visited July 20, 2025).