

MEMORANDUM IN SUPPORT
A.4267-A (Hevesi) /S.4281-A (Biaggi)

AN ACT to amend the real property law, in relation to the termination of a residential lease by a victim of domestic violence; and to repeal certain provisions of such law relating thereto

The Real Estate Board of New York (REBNY) is the City’s leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY supports A.4267-A/S.4281-A.

This legislation would ensure that victims of domestic violence be provided the ability to terminate a residential lease without penalty, and in confidence. Such law would apply to any lease or rental agreement covering premises occupied for dwelling purposes, where a tenant or a member of the tenant's household is a victim of domestic violence, as defined by the social services law, and reasonably fears remaining in the leasehold premises. The tenant would be released from any liability to pay to the lessor or owner, rent or other payments in lieu of rent for the time between termination and before the original end date of the lease.

The bill also outlines a robust noticing and proof requirement of the tenant terminating the lease. Such process is equitable to the tenant and owner, and ensures against false pretenses for early termination.

A rise in domestic violence is a contributing factor in housing insecurity and homelessness in New York City. According to a recent report by the City Comptroller’s Office, approximately 40% of families entering the shelter system have experienced domestic violence. The ability to leave an unsafe environment without the knowledge of the very individual who is perpetuating such violence in the domestic sphere is fair and just.

For these reasons, REBNY supports A.4267-A/S.4281-A.