

New York

Landlord-Tenant Compliance Guide

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■■ IMPORTANT LEGAL DISCLAIMER

This guide provides a summary of key compliance requirements for residential landlord-tenant relationships in New York. It is not legal advice and should not be relied upon as a substitute for consultation with a qualified attorney. Laws change frequently; always verify current requirements with official state sources or legal counsel. enCompliance.com provides this information as-is and makes no warranties regarding accuracy or completeness.

■ Severity Indicators:

- **Critical** - Must comply (legal requirement)
- **Important** - Should follow (best practice)
- **Standard** - Good to know (general info)

■ This guide covers 103 compliance requirements across 17 categories

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1. CORE LEASE REQUIREMENTS

- 1. Lease Formation & Disclosures (RPL § 235-bb, GOL § 7-103, GOL § 7-108(1-a))

■ Legal Reference: [RPL § 235-bb, GOL § 7-103, GOL § 7-108\(1-a\)](#) (click to view statute)

- 2. Written Lease Requirements (RPL Article 7)

■ Legal Reference: [RPL Article 7](#) (click to view statute)

- 3. Lease Language Requirements (RPL § 235-c, § 235-h)

■ Legal Reference: [RPL § 235-c, § 235-h](#) (click to view statute)

- 4. Lease Addendums (Various RPL sections)

■ Legal Reference: [Various RPL sections](#) (click to view statute)

- 5. Lease Renewal (RPL § 232-c, NYC Admin Code for rent-regulated)

■ Legal Reference: [RPL § 232-c, NYC Admin Code for rent-regulated](#) (click to view statute)

- 6. Lease Termination (RPL § 232-a (NYC), § 232-b (outside NYC))

■ Legal Reference: [RPL § 232-a \(NYC\), § 232-b \(outside NYC\)](#) (click to view statute)

- 7. Early Termination (RPL § 227-a (seniors/disabled), § 227-c (domestic violence))

■ Legal Reference: [RPL § 227-a \(seniors/disabled\), § 227-c \(domestic violence\)](#) (click to view statute)

2. ENTRY & ACCESS

- 1. Landlord's Right of Entry (RPL § 235-b, case law - "reasonable notice")

■ Legal Reference: [RPL § 235-b, case law - "reasonable notice"](#) (click to view statute)

- 2. Tenant's Right to Privacy (RPL § 235-b, Fourth Amendment protections)

■ Legal Reference: [RPL § 235-b, Fourth Amendment protections](#) (click to view statute)

- 3. Emergency Access (RPL § 235-b, general landlord duties)

■ Legal Reference: [RPL § 235-b, general landlord duties](#) (click to view statute)

- 4. Showing Property to Prospective Tenants/Buyers (Case law - reasonable notice)

■ *Legal Reference:* [Case law - reasonable notice \(click to view statute\)](#)

● **5. Lock Changes (RPL § 235-i, case law)**

■ *Legal Reference:* [RPL § 235-i, case law \(click to view statute\)](#)

3. EVICTION PROCEDURES

● **1. Legal Grounds for Eviction (RPAPL § 711)**

■ *Legal Reference:* [RPAPL § 711 \(click to view statute\)](#)

● **2. Nonpayment Eviction - Notice Requirements (RPAPL § 711(2), RPL § 235-e)**

■ *Legal Reference:* [RPAPL § 711\(2\), RPL § 235-e \(click to view statute\)](#)

● **3. Holdover Eviction - Notice Requirements (RPAPL § 711(1), RPL § 232-a (NYC), § 232-b (outside NYC))**

■ *Legal Reference:* [RPAPL § 711\(1\), RPL § 232-a \(NYC\), § 232-b \(outside NYC\) \(click to view statute\)](#)

● **4. Lease Violation Eviction (RPAPL § 711, lease terms)**

■ *Legal Reference:* [RPAPL § 711, lease terms \(click to view statute\)](#)

● **5. Illegal Activity Eviction (RPAPL § 711(5))**

■ *Legal Reference:* [RPAPL § 711\(5\) \(click to view statute\)](#)

● **6. Self-Help Eviction Prohibition (RPAPL § 768, § 711)**

■ *Legal Reference:* [RPAPL § 768, § 711 \(click to view statute\)](#)

● **7. Eviction Court Process (RPAPL Article 7)**

■ *Legal Reference:* [RPAPL Article 7 \(click to view statute\)](#)

● **8. Warrant of Eviction & Execution (RPAPL § 749)**

■ *Legal Reference:* [RPAPL § 749 \(click to view statute\)](#)

● **9. Eviction of Unauthorized Occupants (RPAPL § 713)**

■ *Legal Reference:* [RPAPL § 713 \(click to view statute\)](#)

● **10. Eviction Stays & Delays (RPAPL § 753)**

■ *Legal Reference:* [RPAPL § 753 \(click to view statute\)](#)

4. FAIR HOUSING & DISCRIMINATION

- 1. Fair Housing Protections (Federal Fair Housing Act; NY Executive Law § 296 (Human Rights Law))

■ Legal Reference: [Federal Fair Housing Act; NY Executive Law § 296 \(Human Rights Law\)](#) (click to view statute)

- 2. Source of Income Discrimination (NY Executive Law § 296(5-a))

■ Legal Reference: [NY Executive Law § 296\(5-a\)](#) (click to view statute)

- 3. Familial Status Protections (Fair Housing Act; RPL § 237, § 237-a)

■ Legal Reference: [Fair Housing Act; RPL § 237, § 237-a](#) (click to view statute)

- 4. Disability Accommodations (Fair Housing Act; NY Executive Law § 296)

■ Legal Reference: [Fair Housing Act; NY Executive Law § 296](#) (click to view statute)

- 5. Domestic Violence Protections (RPL § 227-c, § 227-d)

■ Legal Reference: [RPL § 227-c, § 227-d](#) (click to view statute)

- 6. Criminal History & Background Checks (NY Human Rights Law - Fair Chance Act)

■ Legal Reference: [NY Human Rights Law - Fair Chance Act](#) (click to view statute)

5. FEES & CHARGES

- 1. Application Processing Fees (No statewide limit; NYC rent-stabilized may limit to \$20)

■ Legal Reference: [No statewide limit; NYC rent-stabilized may limit to \\$20](#) (click to view statute)

- 2. Broker/Finder's Fees (RPL § 442-e, DOS regulations)

■ Legal Reference: [RPL § 442-e, DOS regulations](#) (click to view statute)

- 3. Late Payment Fees (No specific statute; RPL § 235-c (unconscionability))

■ Legal Reference: [No specific statute; RPL § 235-c \(unconscionability\)](#) (click to view statute)

- 4. Returned Check Fees (No specific residential statute)

■ Legal Reference: [No specific residential statute](#) (click to view statute)

- 5. Parking Fees (Lease terms)

■ Legal Reference: [Lease terms](#) (click to view statute)

- 6. Amenity Fees (Lease terms; General Obligations Law)

■ Legal Reference: [Lease terms; General Obligations Law](#) (click to view statute)

- 7. Move-In/Move-Out Fees (GOL § 7-108 prohibits last month's rent in advance)

■ *Legal Reference:* [GOL § 7-108 prohibits last month's rent in advance \(click to view statute\)](#)

6. FINANCIAL TERMS

- 1. Rent Amount & Payment (RPL § 235-e)

■ *Legal Reference:* [RPL § 235-e \(click to view statute\)](#)

- 2. Rent Increases (RPL § 226-c, Good Cause Eviction Law (RPL Article 6-A))

■ *Legal Reference:* [RPL § 226-c, Good Cause Eviction Law \(RPL Article 6-A\) \(click to view statute\)](#)

- 3. Late Fees (No specific state statute; general reasonableness standard)

■ *Legal Reference:* [No specific state statute; general reasonableness standard \(click to view statute\)](#)

- 4. NSF/Bounced Check Fees (No specific statute for residential)

■ *Legal Reference:* [No specific statute for residential \(click to view statute\)](#)

- 5. Application Fees (No specific state limit)

■ *Legal Reference:* [No specific state limit \(click to view statute\)](#)

- 6. Move-In Fees (GOL § 7-108(1-a)(a) prohibits prepaid rent beyond first month)

■ *Legal Reference:* [GOL § 7-108\(1-a\)\(a\) prohibits prepaid rent beyond first month \(click to view statute\)](#)

- 7. Pet Fees & Deposits (No specific limit; RPL § 235-f protects assistance animals)

■ *Legal Reference:* [No specific limit; RPL § 235-f protects assistance animals \(click to view statute\)](#)

- 8. Utilities (RPL § 235-b (warranty of habitability), Multiple Dwelling Law)

■ *Legal Reference:* [RPL § 235-b \(warranty of habitability\), Multiple Dwelling Law \(click to view statute\)](#)

7. HABITABILITY & REPAIRS

- 1. Warranty of Habitability (RPL § 235-b)

■ *Legal Reference:* [RPL § 235-b \(click to view statute\)](#)

- 2. Heat Requirements (Multiple Dwelling Law § 79, NYC Admin Code § 27-2029)

■ *Legal Reference:* [Multiple Dwelling Law § 79, NYC Admin Code § 27-2029 \(click to view statute\)](#)

- 3. Hot Water Requirements (Multiple Dwelling Law, NYC Admin Code § 27-2031)

■ *Legal Reference:* [Multiple Dwelling Law, NYC Admin Code § 27-2031](#) (click to view statute)

● **4. Maintenance & Repairs (RPL § 235-b, Multiple Dwelling Law)**

■ *Legal Reference:* [RPL § 235-b, Multiple Dwelling Law](#) (click to view statute)

● **5. Emergency Repairs (RPL § 235-b)**

■ *Legal Reference:* [RPL § 235-b](#) (click to view statute)

● **6. Repair Request Procedures (RPL § 235-b, case law)**

■ *Legal Reference:* [RPL § 235-b, case law](#) (click to view statute)

● **7. Tenant's Right to Repair and Deduct (RPL § 235-b, § 235-a)**

■ *Legal Reference:* [RPL § 235-b, § 235-a](#) (click to view statute)

● **8. Rent Withholding/Rent Abatement (RPL § 235-b)**

■ *Legal Reference:* [RPL § 235-b](#) (click to view statute)

8. OCCUPANCY & GUESTS

● **1. Occupancy Standards (RPL § 235-f, NYC Housing Maintenance Code)**

■ *Legal Reference:* [RPL § 235-f, NYC Housing Maintenance Code](#) (click to view statute)

● **2. Guests & Visitors (RPL § 235-f, lease terms)**

■ *Legal Reference:* [RPL § 235-f, lease terms](#) (click to view statute)

● **3. Roommates & Additional Occupants (RPL § 235-f)**

■ *Legal Reference:* [RPL § 235-f](#) (click to view statute)

● **4. Lease Succession Rights (Rent-regulated: 9 NYCRR § 2523.5, § 2204.6)**

■ *Legal Reference:* [Rent-regulated: 9 NYCRR § 2523.5, § 2204.6](#) (click to view statute)

9. PET POLICIES

● **1. Pet Restrictions (Lease terms, Multiple Dwelling Law § 27-2009.1 (NYC))**

■ *Legal Reference:* [Lease terms, Multiple Dwelling Law § 27-2009.1 \(NYC\)](#) (click to view statute)

● **2. Service Animals & Emotional Support Animals (Federal FHA, ADA; NY Executive Law § 296 (Human Rights Law))**

■ *Legal Reference:* [Federal FHA, ADA; NY Executive Law § 296 \(Human Rights Law\)](#) (click to view statute)

● **3. Pet Deposits & Fees (GOL § 7-108, general security deposit law)**

■ *Legal Reference:* [GOL § 7-108, general security deposit law](#) (click to view statute)

● **4. Pet Damage & Liability (General liability law, lease terms)**

■ *Legal Reference:* [General liability law, lease terms](#) (click to view statute)

10. PROPERTY CONDITION & SAFETY

● **1. Smoke & Carbon Monoxide Detectors (Multiple Dwelling Law § 68; Executive Law § 378)**

■ *Legal Reference:* [Multiple Dwelling Law § 68; Executive Law § 378](#) (click to view statute)

● **2. Lead Paint Disclosure & Remediation (Federal Lead Paint Disclosure Rule; Public Health Law Article 13-D; NYC Local Law 1)**

■ *Legal Reference:* [Federal Lead Paint Disclosure Rule; Public Health Law Article 13-D; NYC Local Law 1](#) (click to view statute)

● **3. Window Guards (NYC Admin Code § 27-2043; MDL § 50-a)**

■ *Legal Reference:* [NYC Admin Code § 27-2043; MDL § 50-a](#) (click to view statute)

● **4. Bedbug Prevention & Treatment (RPL § 235-j, NYC Admin Code § 27-2018.1)**

■ *Legal Reference:* [RPL § 235-j, NYC Admin Code § 27-2018.1](#) (click to view statute)

● **5. Mold Remediation (No specific statute; warranty of habitability (RPL § 235-b))**

■ *Legal Reference:* [No specific statute; warranty of habitability \(RPL § 235-b\)](#) (click to view statute)

● **6. Pest Control (RPL § 235-b, Multiple Dwelling Law)**

■ *Legal Reference:* [RPL § 235-b, Multiple Dwelling Law](#) (click to view statute)

● **7. Elevator Safety & Maintenance (Labor Law Article 18; Multiple Dwelling Law)**

■ *Legal Reference:* [Labor Law Article 18; Multiple Dwelling Law](#) (click to view statute)

● **8. Fire Safety & Exits (Multiple Dwelling Law, Fire Code)**

■ *Legal Reference:* [Multiple Dwelling Law, Fire Code](#) (click to view statute)

● **9. Common Area Maintenance (RPL § 235-b, Multiple Dwelling Law)**

■ *Legal Reference:* [RPL § 235-b, Multiple Dwelling Law](#) (click to view statute)

11. PROPERTY MANAGEMENT & LICENSING

- 1. Property Manager Licensing (Real Property Law § 440, DOS regulations)
■ Legal Reference: [Real Property Law § 440, DOS regulations](#) (click to view statute)
- 2. Trust Account Requirements (DOS Regulations, GOL § 7-103 (security deposits))
■ Legal Reference: [DOS Regulations, GOL § 7-103 \(security deposits\)](#) (click to view statute)
- 3. Record Retention Requirements (DOS regulations, general business practice)
■ Legal Reference: [DOS regulations, general business practice](#) (click to view statute)
- 4. Rent Payment Records (RPL § 235-e, general business practice)
■ Legal Reference: [RPL § 235-e, general business practice](#) (click to view statute)
- 5. Maintenance Logs & Work Orders (RPL § 235-b (repair obligations), business practice)
■ Legal Reference: [RPL § 235-b \(repair obligations\), business practice](#) (click to view statute)
- 6. Inspection Reports (GOL § 7-108 (move-in/out), Housing Maintenance Code)
■ Legal Reference: [GOL § 7-108 \(move-in/out\), Housing Maintenance Code](#) (click to view statute)
- 7. Certificate of Occupancy Compliance (RPL § 235-bb)
■ Legal Reference: [RPL § 235-bb](#) (click to view statute)

12. SECURITY & SAFETY

- 1. Locks & Security Devices (Multiple Dwelling Law § 51, NYC Admin Code § 27-2043)
■ Legal Reference: [Multiple Dwelling Law § 51, NYC Admin Code § 27-2043](#) (click to view statute)
- 2. Building Security Systems (Multiple Dwelling Law, case law)
■ Legal Reference: [Multiple Dwelling Law, case law](#) (click to view statute)
- 3. Landlord Liability for Crime (Case law - premises liability)
■ Legal Reference: [Case law - premises liability](#) (click to view statute)

13. SECURITY DEPOSITS

- 1. Security Deposit Limits (GOL § 7-108(1-a)(a))
■ Legal Reference: [GOL § 7-108\(1-a\)\(a\)](#) (click to view statute)

● **2. Security Deposit Storage (GOL § 7-103(2-a))**

■ *Legal Reference: [GOL § 7-103\(2-a\)](#) (click to view statute)*

● **3. Security Deposit Interest (GOL § 7-103(2))**

■ *Legal Reference: [GOL § 7-103\(2\)](#) (click to view statute)*

● **4. Security Deposit Return (GOL § 7-108(1-a)(e))**

■ *Legal Reference: [GOL § 7-108\(1-a\)\(e\)](#) (click to view statute)*

● **5. Allowable Deductions (GOL § 7-108(1-a)(b))**

■ *Legal Reference: [GOL § 7-108\(1-a\)\(b\)](#) (click to view statute)*

● **6. Itemization Requirements (GOL § 7-108(1-a)(e))**

■ *Legal Reference: [GOL § 7-108\(1-a\)\(e\)](#) (click to view statute)*

● **7. Move-In/Move-Out Inspections (GOL § 7-108(1-a)(c)(d))**

■ *Legal Reference: [GOL § 7-108\(1-a\)\(c\)\(d\)](#) (click to view statute)*

● **8. Normal Wear and Tear (GOL § 7-108, case law)**

■ *Legal Reference: [GOL § 7-108, case law](#) (click to view statute)*

● **9. Transfer of Security Deposit (GOL § 7-105, § 7-108(2))**

■ *Legal Reference: [GOL § 7-105, § 7-108\(2\)](#) (click to view statute)*

14. SMOKING & CONTROLLED SUBSTANCES

● **1. Smoking Policies (Public Health Law § 1399-o (common areas); lease terms)**

■ *Legal Reference: [Public Health Law § 1399-o \(common areas\); lease terms](#) (click to view statute)*

● **2. Marijuana/Cannabis Policies (Cannabis Law (Marihuana Regulation and Taxation Act))**

■ *Legal Reference: [Cannabis Law \(Marihuana Regulation and Taxation Act\)](#) (click to view statute)*

● **3. Illegal Drugs & Controlled Substances (RPAPL § 711(5), RPL § 231)**

■ *Legal Reference: [RPAPL § 711\(5\), RPL § 231](#) (click to view statute)*

15. SPECIAL HOUSING TYPES

- **1. Rent-Stabilized Housing** (Rent Stabilization Law; Emergency Tenant Protection Act; NYC Admin Code)

■ *Legal Reference:* [Rent Stabilization Law; Emergency Tenant Protection Act; NYC Admin Code](#) (click to view statute)

- **2. Good Cause Eviction Law** (RPL Article 6-A)

■ *Legal Reference:* [RPL Article 6-A](#) (click to view statute)

16. SUBLETTING & ASSIGNMENT

- **1. Right to Sublease** (RPL § 226-b)

■ *Legal Reference:* [RPL § 226-b](#) (click to view statute)

- **2. Sublease Request Procedures** (RPL § 226-b(2))

■ *Legal Reference:* [RPL § 226-b\(2\)](#) (click to view statute)

- **3. Sublease Approval/Denial** (RPL § 226-b(2))

■ *Legal Reference:* [RPL § 226-b\(2\)](#) (click to view statute)

- **4. Sublease Terms & Rent** (RPL § 226-b, Rent Stabilization Code)

■ *Legal Reference:* [RPL § 226-b, Rent Stabilization Code](#) (click to view statute)

- **5. Assignment of Lease** (RPL § 226-b(1))

■ *Legal Reference:* [RPL § 226-b\(1\)](#) (click to view statute)

17. TENANT RIGHTS & PROTECTIONS

- **1. Right to Organize** (RPL § 230)

■ *Legal Reference:* [RPL § 230](#) (click to view statute)

- **2. Anti-Retaliation Protections** (RPL § 223-b)

■ *Legal Reference:* [RPL § 223-b](#) (click to view statute)

- **3. Harassment Prohibition** (RPL § 235-d (statewide), NYC Admin Code § 27-2005)

■ *Legal Reference:* [RPL § 235-d \(statewide\), NYC Admin Code § 27-2005](#) (click to view statute)

- **4. Receipt for Rent Payments** (RPL § 235-e)

■ *Legal Reference:* [RPL § 235-e](#) (click to view statute)

● **5. Right to Withhold Rent (RPL § 235-b, § 235-a)**

■ *Legal Reference: [RPL § 235-b, § 235-a](#) (click to view statute)*

● **6. Attorney's Fees Reciprocity (RPL § 234)**

■ *Legal Reference: [RPL § 234](#) (click to view statute)*

Severity Indicators:

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- Important guideline (should follow)
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