

## **PROPOSED LOCAL LAW 1-2019**

A Local Law adding Chapter 205 (Residential Property Leases) to the Village of Ossining Code.

**BE IT ENACTED** by the Board of Trustees of the Village of Ossining as follows:

**Section 1.** Chapter 205, Section 1 is added as follows with new matter underlined.

**Purpose.** The Board of Trustees of the Village of Ossining recognizes the importance of the landlord/tenant relationship based upon mutual understanding of each side's rights and obligations. The Board of Trustees believes it is important that each and every tenant understands the terms and conditions of their residential lease including issues relating to the term, amount of rent, area to be leased, renewal, security deposit, et. al. The Board of Trustees further believes that where available, written leases should be used. This local law is in addition to those protections provided pursuant to New York State Law.

**Section 2.** Chapter 205, Section 2 is added as follows with new matter underlined.

**Definitions.** The following terms are defined for purposes of this Chapter:

**Lease-** A contract, written or oral for the use of real property including residential property.

**Tenant-** One or more individuals who occupy a residential unit including the individual who signs the lease.

**Landlord-** The individual or entity who owns the residential unit subject to a lease.

**Rent-** The periodic payment (usually monthly) paid by the tenant to the landlord for the right to lease a residential unit.

**Term-** The length of a lease, may be monthly or annual.

**Section 3.** Chapter 205, Section 3 is added as follows with new matter underlined.

**Written lease requirements.**

- A) All residential leases for property in the Village of Ossining longer than one year in duration shall be in writing.
- B) Leases of a duration less than one year need not be in writing but must comply with the other requirements detailed herein.
- C) Leases, both written and oral, must include the following terms: area to be leased, duration of the lease, rent to be paid.
- D) For written leases, the leases must be signed by both the tenant and landlord or their representatives authorized to sign.
- E) Written leases shall comply with New York's "Plain English Law" in General Obligations Law section 5-702.

- F) Where a tenant does not read and/or write in the English language and a written lease is used, the lease shall include a provision that the tenant had the terms of the lease explained to him/her in his/her native language and that the tenant understands those terms.
- G) For month-to-month leases not in writing, the right of the landlord and tenant to terminate the lease shall be governed by the provisions in New York Real Property Law section 232-b.
- H) If the written lease includes a provision for an automatic renewal, the landlord shall provide the tenant with a written reminder of the automatic renewal.

Section 4. Chapter 205, Section 4 is added as follows with new matter underlined:

Enforcement.

- A) For those residential apartment units where written leases are being used, on or before April 1 the landlord or the landlord's representative shall provide to the Corporation Counsel a signed declaration with the following information: 1) number of tenants; 2) number of tenants with written leases; 3) number of one year and two year leases; 4) average percentage increase or decrease in annual rent. The landlord or its representative shall declare that all tenants in the building with lease terms greater than one year have written leases.
- B) For those residential apartment units where there are no written leases, on or before April 1, the landlord or landlord's representative shall provide to the Corporation Counsel a signed declaration identifying the number of apartment units rented, the duration of leases.
- C) Landlords shall provide to tenants documentation prepared by the Village's Landlord Tenant Relations Council detailing the rights and responsibilities of the landlord and tenant.
- D) The Village's Landlord Tenant Relations Council is designated as the Village board to hear complaints by tenants and landlords regarding violations of this Chapter.