

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2021**

No. 169

Introduced by Council Members Riley, Powers, Treyger and Rosenthal.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to limiting fees associated with vacating a premises

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 33 to read as follows:

*CHAPTER 33
FEES ASSOCIATED WITH VACATING A PREMISES*

§ 26-3301 Definitions. As used in this chapter, the term “duty to mitigate damages” means the duty of a landlord to mitigate damages pursuant to section 227-e of the real property law.

§ 26-3302 Limitation of fees. Where a landlord has a duty to mitigate damages, such landlord may not recover from a tenant any amount in excess of the fair market cost necessary to prepare the physical conditions of the premises for rental. In seeking such amount from a tenant, such landlord must provide an itemized list to such tenant demonstrating the calculation of such amount.

§ 2. This local law shall take effect 180 days after becoming law, provided that it shall apply only to leases entered into on or after such date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 23, 2021 and returned unsigned by the Mayor on December 23, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 169 of 2021, Council Int. No. 2312-A of 2021) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.