

# New York Landlord-Tenant Laws: Rights and Duties for Both Sides

Summary for landlords and property managers. Last reviewed October 29, 2026. Full guide: <https://www.generationadvisory.com/laws/new-york-landlord-tenant-rights>

New York tenant rights come mostly from the Real Property Law and the General Obligations Law, which were reshaped in 2019. Statewide rules cover habitability, retaliation, fees and screening, and New York City adds a large body of its own rules.

## Key points

- Every residential lease includes a warranty that the home is fit to live in, and a tenant can ask the court to reduce the rent when the landlord breaches it.
- A landlord may not evict, refuse to renew or impose an unreasonable increase because a tenant complained in good faith, enforced their rights or joined a tenant group, and action within one year of such activity is presumed retaliatory.
- A late fee may not exceed \$50 or 5 percent of the monthly rent, whichever is less.
- Rent is not late, and no late fee may be charged, until it is more than 5 days past due.
- The landlord must return the deposit, minus lawful deductions, within 14 days after the tenant moves out.

## New York at a glance

| Rule                   | New York                                                                                                                                                                                                                                     | Law                                                     |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Notice before entry    | There is no statewide statute on entry notice, so the lease controls and landlords are generally expected to give reasonable advance notice except in emergencies.                                                                           | New York Real Property Law (no statewide entry statute) |
| Tenant repair remedies | Every residential lease includes a warranty that the home is fit to live in, and a tenant can ask the court to reduce the rent when the landlord breaches it.                                                                                | Real Property Law section 235-b                         |
| Retaliation protection | A landlord may not evict, refuse to renew or impose an unreasonable increase because a tenant complained in good faith, enforced their rights or joined a tenant group, and action within one year of such activity is presumed retaliatory. | Real Property Law section 223-b                         |

| Rule                           | New York                                                                                                  | Law                                   |
|--------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------|
| Late fees                      | A late fee may not exceed \$50 or 5 percent of the monthly rent, whichever is less.                       | Real Property Law section 238-a       |
| Grace period                   | Rent is not late, and no late fee may be charged, until it is more than 5 days past due.                  | Real Property Law section 238-a       |
| Deadline to return the deposit | The landlord must return the deposit, minus lawful deductions, within 14 days after the tenant moves out. | General Obligations Law section 7-108 |

## Mistakes to avoid

- Entering a unit without the notice the lease or the law requires.
- Letting a written repair request sit without a reply or a plan.
- Leaving required disclosures out of the lease packet.
- Applying screening criteria differently from one applicant to the next.
- Raising rent or ending a tenancy soon after a complaint without a documented, unrelated reason.

## Verify current law

Laws named in this summary:

- New York Real Property Law (no statewide entry statute)
- Real Property Law section 235-b
- Real Property Law section 223-b
- Real Property Law section 238-a
- General Obligations Law section 7-108
- New York Human Rights Law (Executive Law section 296) and Real Property Law section 227-f
- Residential Lead-Based Paint Hazard Reduction Act (42 U.S.C. 4852d)
- Real Property Law section 231-a
- New York Real Property Law (flood disclosure)

Official sources:

- New York State Senate: Consolidated Laws of New York:  
<https://www.nysenate.gov/legislation/laws/CONSOLIDATED>
- New York State Unified Court System: Housing Court and evictions:  
<https://www.nycourts.gov/courts/nyc/housing/>

General information, not legal advice. Check current law and talk to a New York attorney before you act. Last reviewed October 29, 2026.