

Short Term Leases Outlawed

Governor Paterson has signed into law an amendment to the Multiple Dwelling Law and the New York City Administrative Code which clarifies the law and specifies that apartments in Class A multiple dwellings cannot be used as short term hotels.

Effective May, 2011, apartments in co-operative and condominium buildings cannot be rented for terms shorter than 30 days unless the permanent occupant of the apartment is in residence simultaneously with the non-paying guest. Accordingly, shareholders in cooperatives and unit owners in condominiums cannot rent their apartments for a weekend or a week or any time shorter than a month and those shareholders and unit owners, who are turning apartments into short term hotels will be violating the law.

In addition, there is nothing in the new law that precludes a co-op or condo board from enforcing a more stringent rule, providing it is consistent with their Proprietary Lease or By-Laws.