

Legal Alert : Unauthorized legal fees

On December 21, 2021, Governor Kathy Hochul signed a bill which amended (1) the Administrative Code of the City of New York, (2) the Emergency Tenant Protection Act of Nineteen Seventy-Four, (3) the City Rent and Rehabilitation Law (Rent Control), and (4) the Real Property Law (RPL) by adding RPL § 234-a.

The new law prohibits an Owner, Lessor, or Agent from assessing a Tenant any fee, surcharge, or other charges for legal services in connection with the operation, or rental of a residential unit without a Court Order authorizing the assessment. Thus without a Court Order you cannot bill for legal services.

“Legal services” is defined to include, but is not limited to, court fees, legal representation, attorney’s fees, notary public charges, and administrative fees incurred by the owner, lessor, or agent in connection with management of the building, including actions and proceedings in a court of law.

The bill as enacted can be found [here](#).

The bill takes effect immediately.