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Date: January 12, 2010
To: All Clients and Friends
From: Cliff Bernstein
Re: Selected Laws Affecting Real Property in 2009

**NEW YORK
LEGISLATIVE ALERT**

Selected Laws affecting real property enacted in 2009

A1132/S2350 Excludes non-business days from notice of eviction. Chapter 256
A1569/S2967 Incentives for construction of schools/condos in mixed const. Chap 234
A2002/S2493 Amend civil penalties for violation of admin orders re tenants. Chap 480
A2089/S3337 Establish conservation easements. Chap 296
A2369/S800 Subcontractor's right to file claim. Chap 224
A2500/S2461 AG to compel compliance with GOL re money in trust. Chap 225
A4392/S1728 Delay effective date of POA to 9/1/09. Chap 4
A5753/S5551 "Mortgage" to include second lien if purchased by U.S. agency. Chap 432
A6017/S3847 Court to describe stipulation in summary proceeding. Chap 281
A6093/S2791A/Requires all residences to have CO detector. Chap 367
A6924/S3725 Regulation of mortgage loan originators. Chap 123
A7247/S2871 New owners for which administrator appointed. Chap 265
A8305/S2760 Reverse mortgage fairness act. Chap 259
A40007/S66007 Home mortgage loans, crime of mortgage fraud. Chap 507

Selected bills not enacted in 2009:

A1364/S4672 Revises Property Condition Disclosure Act [RPLS memo in support]
A1643/S41 Makes practising law without admission a Class-E felony [RPLS memo in support]
A3553/S5497 Requires applications for coops to be acted on in 45 days
A4300/S5445 Actions for UPL to include criminal as well as civil actions [RPLS memo in support]
A5362/S1933 Provides for recordation of modification of illegal restrictive covenants [+ several other bills] [RPLS memo in opposition]
A6086/S5815 Provides for licensing of title agents (NYSLTA bill) [RPLS memo in opposition]
A7127/S3550 Provides for licensing of title agents (NYSID bill) [RPLS memo in opposition unless amended]
A8404 Requires disclosure of title insurance service charges (RPLS bill) [RPLS memo in support]

To find copies of bills, go to:

1. RPLS portion of NYSBA website: www.nysba.org, the *Sections*, then *Real Property Law Section*, then *Status of Pending Legislation* (search by bill number) (for RPLS memoranda go to *2008-2009 and 2009-2010 Legislative Memoranda*, or go to
2. Senate website: www.senate.state.ny.us, then *Bill and Laws*, or go to
3. Assembly website: www.assembly.state.ny.us, then *Bill Search and Legislative Information*.

This bulletin is sent courtesy of CB Title Agency of NY, LLC and the NYSBA - Real Property Law Section, Committee on Legislation. This article is for informational purposes only and is not intended to provide legal advice, but rather to provide insight into legal developments and issues that may be useful to our clients and friends. In no circumstance is this article intended to be a full treatment of the above subject matter. Reader is advised to obtain additional information as noted.