



**Homes and  
Community Renewal**

Division of Housing  
and Community  
Renewal

**KATHY HOCHUL**  
Governor

**RUTHANNE VISNAUSKAS**  
Commissioner/CEO

**OFFICE OF INTEGRATED HOUSING MANAGEMENT MEMORANDUM #2023 – C – 4**

**To:** All Housing Authority Chairpersons and Executive Directors  
All Housing Company Owners, Managing Agents & Site Managers

**From:** Cathy Sparks, Director  
Office of Integrated Housing Management

**Date:** August 7, 2023

**Subject:** New York State Real Property Law Section 231-b Compliance

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Recently enacted changes to New York State Real Property Law Section 231-b, effective June 21, 2023 require that all residential leases shall provide notice of previous flood history and current flood risk of the leased premises (entire building, or if part of a multiple-building development, the entire development).

While the law does not require HCR to promulgate this lease rider/ notice, HCR has been asked by real estate industry leaders to provide them with a sample whose content can serve as a model to be used by building owners in New York State. HCR suggests that this lease rider/notice also be served on tenants occupying apartments subject to HCR oversight despite the absence of a written residential lease. Sample notice/lease rider is attached to this memo for your convenience.

The rider should be included in all new leases and leases upon renewal.

Very Truly Yours,

*Cathy Sparks*

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Cathy Sparks

cc: J. Pearson, S. Melnitsky, M. Stratos, K. Whitcher, M. Siddiqui, V. Ramos

**THIS IS A SAMPLE LEASE RIDER/NOTICE**  
**FLOOD HISTORY AND RISK LEASE RIDER/NOTICE TO RESIDENTIAL TENANTS**

Pursuant to and in accordance with New York State Real Property Law Section 231-b, all residential leases shall provide notice of previous flood history and current flood risk of the leased premises.

The owner of \_\_\_\_\_ (“Leased Premises”)   
                                     Building Address                                     Apartment Number

hereby provides such notice by checking one of the following options:

Any or all of the Leased Premises is located wholly or partially in a Federal Emergency Management Agency (“FEMA”) designated floodplain.

Any or all of the Leased Premises is located wholly or partially in the Special Flood Hazard Area (“SFHA”, “100-year floodplain”) according to FEMA’s current Flood Insurance Rate Maps for the leased premises’ area.

Any or all of the Leased Premises is located wholly or partially in a Moderate Risk Flood Hazard Area (“500-year floodplain”) according to FEMA’s current Flood Insurance Rate Maps for the leased premises’ area.

The leased premises has experienced flood damage due to a natural flood event, such as heavy rainfall, coastal storm surge, tidal inundation, or river overflow, which is detailed as follows (attach addendum if more space is needed):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

None of the above conditions apply to any portion of the Leased Premises.

As used in this form, the phrase “Leased Premises” is defined as the entire building at the address listed above or, if part of a multi-building development, the entire development known as \_\_\_\_\_.

**NOTICE TO TENANT:** Flood insurance is generally available to renters through the Federal Emergency Management Agency’s (FEMA’s) National Flood Insurance Program (NFIP) to cover your personal property and contents in the event of a flood. Contact FEMA for rates. A standard renter’s insurance policy does not typically cover flood damage. You are encouraged to examine your policy to determine whether you are covered.

Owner Name (print) \_\_\_\_\_

Owner Signature \_\_\_\_\_

Date: \_\_\_\_\_

Tenant Name (print) \_\_\_\_\_

Tenant Signature \_\_\_\_\_

Date: \_\_\_\_\_