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Joint Statement on New City Council Commercial Business Protections

In the past week, the City Council passed Intro 851, sponsored by Council Member Robert Cornegy, which would define commercial tenant harassment and provide business owners with legal recourse. As a result, small businesses damaged by landlords who choose to cut off their power or water, refuse to do repairs, or harass their commercial tenants as defined in the new legislation can take those landlords to court.

This new law does not immediately resolve all of the problems faced by small businesses, as gentrification, speculation, and a challenging real estate market have exacerbated the striking lack of rights and protections for small businesses. This legislation should be strengthened in the future. Small businesses need a broader definition of harassment, a commercial tenant maintenance code, and government enforcement to stop the most unscrupulous landlords from continually taking advantage of commercial tenants. As local engines of economic activity, small businesses provide goods, services, and employment opportunities for residents while maintaining the cultural identity of communities.

Small businesses across the five boroughs face increasingly difficult circumstances that threaten their ability to stay open. Similar to residential tenant harassment, commercial tenant harassment is committed by landlords who seek to displace tenants in order to bring in higher paying tenants or potentially sell off a building. However, the parallels end there. While residential tenants have some legal protections, enforceable through city and state law, small businesses have mostly been left without any protections.

This legislation is an important first step in the larger process of establishing rights and protections for New York's small business owners. We commend Council Member Robert Cornegy and the City Council for passing this initial legislation and look forward to collaborating with them to address the ongoing challenges to local small business owners.



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