



**JAMES G. DIBBINI  
& ASSOCIATES, P.C.**  
*Attorneys At Law*  
**TRUST. COMMITMENT. INTEGRITY.**



## **Your Lease Should Be a Shield, Not a Liability**

In today's fast-changing legal and regulatory environment, a well-drafted, compliant residential lease is not just good practice—it's your primary defense against tenant disputes, enforcement actions, and lawsuits.

At James G. Dibbini & Associates, P.C., we continue to see many landlords using outdated two-page Blumberg leases, often forms that haven't been updated in decades. Even more concerning is that some landlords are using old Blumberg editions, not even the most current versions, which fail to incorporate essential riders, disclosures, and statutory protections now mandated by law.

### **Why Old Lease Forms Are a Legal Liability**

Those familiar two-page leases—especially legacy Blumberg forms from 10 to 20 years ago—fall short in several critical areas:

- No required disclosures for lead paint, flooding, or window guards.
- Missing riders that address today's tenant issues like smoking, satellite dishes, and pet rules.
- No mention of modern housing laws, such as the Housing Stability and Tenant Protection Act (HSTPA).
- Lack of language to protect landlords in disputes involving Airbnb, unauthorized occupants, or unpaid rent.

Using outdated forms exposes landlords to rent overcharge complaints, DHCR penalties, Housing Court challenges, and even tenant-initiated civil suits.

### **What Every Residential Lease Should Include Today**

To be legally effective and enforceable, your residential lease should incorporate all required clauses and riders. Here are the minimum modern inclusions we recommend:

### **Required Disclosures and Riders:**

- Lead-Based Paint Disclosure and EPA-approved pamphlet for pre-1978 buildings.
- Window Guard Notice and Rider pursuant to NYC Administrative Code.
- Flood History Disclosure Form as mandated by recent state law.
- No Smoking Rider—clearly banning or limiting smoking/vaping on premises.
- No Satellite Dish Rider to prevent unsightly or unauthorized installations.
- Guaranty of Lease, where applicable, with clear financial obligations and remedies.

## Additional Lease Essentials:

- Lease term and legal rent with appropriate breakdown.
- Rent payment procedures and penalties within legal limits.
- Security deposit handling under HSTPA and GOL §7-108.
- Detailed responsibilities for maintenance and repairs.
- Pet policy, sublet restrictions, and short-term rental prohibitions.
- Attorney fees clause, indemnification, and right-of-entry terms.
- Consent for digital communications.

## Why This Matters

A comprehensive, updated lease:

- Helps you avoid costly DHCR findings and rent rollbacks.
- Makes Housing Court actions more efficient and enforceable.
- Protects you from tenant abuse and overreach.
- Demonstrates your compliance with local, state, and federal law.

## Our Lease Services

At James G. Dibbini & Associates, P.C., we provide:

- Custom residential lease packages tailored to your property and tenant base.
- Legal reviews of existing leases for compliance gaps.
- Compliance checklists to ensure you include all required forms and riders at lease signing.

## Schedule a Lease Review Today

Don't let an outdated lease undermine your rights or expose you to penalties. Let us help you upgrade your leases and protect your property. Feel free to contact James at 914-240-8270 or [jdibbini@dibbinilaw.com](mailto:jdibbini@dibbinilaw.com).

The attorneys at James G. Dibbini & Associates, P.C. collectively have over 70 years of experience providing legal services in the areas of:

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- [Business Formations](#)
- [Commercial & Residential Real Estate Closings](#)
- [General Business Law](#)
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