S T A T E O F N E W Y O R K

4455--A

Cal. No. 622

2011-2012 Regular Sessions

I N S E N A T E

April 6, 2011

Introduced by Sen. SMITH -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public housing law, in relation to granting tenants, with a physically disabling condition that affects their mobility, a preference in occupying a vacant dwelling unit on a lower floor in the same building in projects operated by the New York city housing authority

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 402 of the public housing law is amended by adding a new subdivision 10 to read as follows:

10. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, UPON THE VACANCY OF A DWELLING UNIT IN ANY PROJECT OPERATED BY THE AUTHORITY, SUCH VACANT DWELLING UNIT SHALL FIRST BE MADE AVAILABLE FOR OCCUPANCY TO ANY TENANT WITHIN THE SAME PROJECT WHO LIVES ON A HIGHER FLOOR THAN THE VACANT DWELLING UNIT, PROVIDED, HOWEVER, THE VACANT DWELLING UNIT MUST BE THE SAME SIZE OR SMALLER THAN THE UNIT OCCUPIED BY SUCH TENANT, AND THE TENANT OR ANY OTHER LEGAL OCCUPANT CURRENTLY RESIDING WITH THE TENANT HAS A DISABILITY, AS DEFINED BY SUBDIVISION TWENTY-ONE OF SECTION TWO HUNDRED NINETY-TWO OF THE EXECUTIVE LAW, THAT AFFECTS MOBILITY. IF TWO OR MORE TENANTS ARE ELIGIBLE FOR SUCH VACANT APARTMENT, PREFERENCE SHALL BE GIVEN TO THE INDIVIDUAL THAT HAS RESIDED IN THE PROJECT FOR THE LONGEST PERIOD OF TIME.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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