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

4032

2013-2014 Regular Sessions

I N S E N A T E

March 5, 2013

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the administrative code of the city of New York, in relation to requiring that the stabilization code provide that upon the failure of the tenant to timely renew his or her lease or rental agreement, such lease or agreement may be deemed to have been renewed

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

Section 1. Subdivision c of section 26-511 of the administrative code of the city of New York is amended by adding a new paragraph 15 to read as follows:

(15) PROVIDES THAT, NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW, WHERE THE TENANT FAILS TO TIMELY RENEW AN EXPIRING LEASE OR RENTAL AGREEMENT OFFERED PURSUANT TO THIS LAW, AND REMAINS IN OCCUPANCY AFTER EXPIRATION OF THE LEASE, SUCH LEASE OR RENTAL AGREEMENT MAY BE DEEMED TO HAVE BEEN RENEWED UPON THE SAME TERMS AND CONDITIONS, AT THE LEGAL REGULATED RENT, TOGETHER WITH ANY GUIDELINES ADJUSTMENTS THAT WOULD HAVE BEEN APPLICABLE HAD THE OFFER OF A RENEWAL LEASE BEEN TIMELY ACCEPTED. THE EFFECTIVE DATE OF THE RENT ADJUSTMENT UNDER THE DEEMED RENEWAL LEASE SHALL COMMENCE ON THE FIRST RENT PAYMENT DATE OCCURRING NO LESS THAN NINETY DAYS AFTER SUCH OFFER IS MADE BY THE OWNER. NOTWITHSTANDING THE FOREGOING, AN OWNER MAY ELECT TO COMMENCE AN ACTION OR PROCEEDING TO RECOVER POSSESSION OF A HOUSING ACCOMMODATION IN A COURT OF COMPETENT JURISDICTION WHERE THE TENANT, UPON THE EXPIRATION OF THE EXISTING LEASE OR RENTAL AGREEMENT, FAILS TO TIMELY RENEW SUCH LEASE IN THE MANNER PRESCRIBED BY LAW.

S 2. This act shall take effect on the thirtieth day after it shall have become a law; and provided that the amendments to section 26-511 of chapter 4 of title 26 of the administrative code of the city of New York made by section one of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.

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

LBD07144-01-3