

5637

2013-2014 Regular Sessions

I N S E N A T E

May 30, 2013

Introduced by Sen. SAVINO -- 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 multiple dwelling law, in relation to the definition of a "class A multiple dwelling"

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

1 Section 1. The opening paragraph and subparagraph 1 of paragraph a of
2 subdivision 8 of section 4 of the multiple dwelling law, as amended by
3 chapter 225 of the laws of 2010, are amended to read as follows:
4 A "class [A] A multiple [dwelling] DWELLING" is a multiple dwelling
5 that is occupied for permanent residence purposes. This class shall
6 include tenements, flat houses, maisonette apartments, apartment houses,
7 apartment hotels, bachelor apartments, studio apartments, duplex apart-
8 ments, kitchenette apartments, garden-type maisonette dwelling projects,
9 and all other multiple dwellings except class B multiple dwellings. A
10 class A multiple dwelling shall only be used for permanent residence
11 purposes. For the purposes of this definition, "permanent residence
12 purposes" shall consist of occupancy of a CLASS A dwelling unit by the
13 same natural person or family for thirty consecutive days or more and a
14 person or family so occupying a dwelling unit shall be referred to here-
15 in as the permanent occupants of such dwelling unit. The following uses
16 of a dwelling unit by the permanent occupants thereof shall not be
17 deemed to be inconsistent with the occupancy of such dwelling unit for
18 permanent residence purposes:
19 (1) (A) occupancy of such dwelling unit for fewer than thirty consec-
20 utive days by other natural persons living within the household of the
21 permanent occupant such as house guests or lawful boarders, roomers or
22 lodgers; [or]
23 (B) incidental and occasional occupancy of such dwelling unit for
24 fewer than thirty consecutive days by other natural persons when the

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

LBD11034-01-3

1 permanent occupants are temporarily absent for personal reasons such as
2 vacation or medical treatment, provided that there is no monetary
3 compensation paid to the permanent occupants for such occupancy[.] ; OR
4 (C) INCIDENTAL AND OCCASIONAL OCCUPANCY OF SUCH DWELLING UNIT FOR
5 FEWER THAN THIRTY CONSECUTIVE DAYS BY OTHER NATURAL PERSONS WHEN THE
6 PERMANENT OCCUPANTS ARE TEMPORARILY ABSENT, PROVIDED THAT THE OCCUPANCY
7 IS IN EITHER THE PRIMARY OR SECONDARY RESIDENCE OF THE PERMANENT OCCU-
8 PANT.
9 S 2. This act shall take effect immediately.