

STATE OF NEW YORK

8708

IN SENATE

May 10, 2018

Introduced by Sen. BAILEY -- 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 residence law, in relation to unlawful occupation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The multiple residence law is amended by adding a new
2 section 302-a to read as follows:

3 § 302-a. Unlawful occupation. 1. If any dwelling or structure be occu-
4 pi ed in whole or in part for human habitation in violation of section
5 three hundred two of this article, no rent shall be recovered by the
6 owner of such premises for said period, and no action or special
7 proceeding shall be maintained therefor, or for possession of said prem-
8 ises for nonpayment of such rent.

9 2. The department charged with the enforcement of this chapter may
10 cause to be vacated any dwelling or any part thereof which contains a
11 nuisance as defined in section three hundred five of this article, or is
12 occupied by more families or persons than permitted in this chapter, or
13 is erected, altered or occupied contrary to law. Any such dwelling shall
14 not again be occupied until it or its occupancy, as the case may be, has
15 been made to conform to law.

16 § 2. This act shall take effect immediately.

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

LBD14706-03-8