

STATE OF NEW YORK

3436--B

2019-2020 Regular Sessions

IN SENATE

February 7, 2019

Introduced by Sen. MYRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to including the illegal conversions of dwelling units in the definition of harassment

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

1 Section 1. The opening paragraph of paragraph 48 of subdivision a of
2 section 27-2004 of the administrative code of the city of New York, as
3 amended by local law number 184 of the city of New York for the year
4 2017, is amended to read as follows:

5 Except where otherwise provided, the term "harassment" shall mean the
6 illegal conversion of any existing facilities of any building, including
7 but not limited to, the subdivision of rooms, erection or demolition of
8 walls or the moving of any building from one location or position to
9 another in violation of any state or local law, ordinance, code, rule or
10 regulation relating to real property, buildings or multiple dwellings;
11 occupancy or use of dwelling units in a class A multiple dwelling that
12 would violate subdivision eight of section four of the multiple dwelling
13 law; or any act or omission by or on behalf of an owner that (i) causes
14 or is intended to cause any person lawfully entitled to occupancy of a
15 dwelling unit to vacate such dwelling unit or to surrender or waive any
16 rights in relation to such occupancy, and (ii) includes one or more of
17 the following acts or omissions, provided that there shall be a rebutta-
18 ble presumption that such acts or omissions were intended to cause such

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

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1 person to vacate such dwelling unit or to surrender or waive any rights
2 in relation to such occupancy, except that such presumption shall not
3 apply to such acts or omissions with respect to a private dwelling, as
4 defined in paragraph six of subdivision a of this section [~~27-2004~~]:

5 § 2. Paragraph 48 of subdivision a of section 27-2004 of the adminis-
6 trative code of the city of New York is amended by adding two new
7 subparagraphs b-5 and b-6 to read as follows:

8 b-5. illegal conversion of any existing facilities of any building,
9 including but not limited to, the subdivision of rooms, erection or
10 demolition of walls, or the moving of any building from one location or
11 position to another in violation of any state or local law, ordinance,
12 code, rule, or regulation relating to real property, buildings, or
13 multiple dwellings;

14 b-6. occupancy or use of dwelling units in a class A multiple dwelling
15 that would violate subdivision eight of section four of the multiple
16 dwelling law;

17 § 3. This act shall take effect on the ninetieth day after it shall
18 have become a law.