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

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I N A S S E M B L Y

July 6, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Wright) -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to the standard of proof for determination of eligibility for public housing based upon remaining family member status

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

Section 1. The public housing law is amended by adding a new section 156-d to read as follows:

S 156-D. DETERMINATION OF REMAINING FAMILY MEMBER STATUS. 1. NOTWITHSTANDING ANY PROVISIONS OF LAW TO THE CONTRARY, FOR THE PURPOSE OF DETERMINING WHETHER AN INDIVIDUAL IS A REMAINING FAMILY MEMBER ENTITLED TO CONTINUED OCCUPANCY OF A HOUSING UNIT SUPPLIED BY THE NEW YORK CITY HOUSING AUTHORITY, THE STANDARD OF PROOF OF RESIDENCY BY SUCH INDIVIDUAL FOR THE REQUISITE PERIOD SHALL NOT EXCEED THE STANDARD REQUIRED TO DEMONSTRATE RESIDENCY BY INDIVIDUALS OCCUPYING HOUSING UNITS OR HOUSING ACCOMMODATIONS SUBJECT TO THE PROVISIONS OF CHAPTERS FOUR AND FIVE OF TITLE TWENTY-SIX OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, CHAPTER TWO HUNDRED SEVENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED FORTY-SIX, CONSTITUTING THE EMERGENCY HOUSING RENT CONTROL LAW, AS AMENDED BY CHAPTER TWO HUNDRED THIRTY-FOUR OF THE LAWS OF NINETEEN HUNDRED EIGHTY-FOUR OR CHAPTER FIVE HUNDRED SEVENTY-SIX OF THE LAWS OF NINETEEN HUNDRED SEVENTY-FOUR, CONSTITUTING THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR, AS AMENDED BY CHAPTER TWO HUNDRED THIRTY-FOUR OF THE LAWS OF NINETEEN HUNDRED EIGHTY-FOUR.

2. THE PROVISIONS OF THIS SECTION SHALL NOT AFFECT THE INCOME THRESHOLD REQUIREMENTS FOR DETERMINING ELIGIBILITY OF A REMAINING FAMILY MEMBER FOR PUBLIC HOUSING.

S 2. This act shall take effect immediately and shall apply to all applications for continued occupancy of a housing unit supplied by the New York city housing authority submitted to such authority on or after January 1, 2010.

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

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