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

1460

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in relation to delaying eviction proceedings until a social services determination on eligibility for rent assistance is made

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

Section 1. Section 756 of the real property actions and proceedings law, as added by chapter 913 of the laws of 1965, is amended to read as follows:

S 756. Stay of summary proceedings or actions for rent under certain conditions. 1. In the event that utilities are discontinued in any part of a multiple dwelling because of the failure of the landlord or other person having control of said multiple dwelling to pay for utilities for which he may have contracted, any proceeding to dispossess a tenant from said building or an action against any tenant of said building for rent shall be stayed until such time as the landlord or person having control of said multiple dwelling pays the amount owing for said utilities and until such time as the utilities are restored to working order.

2. IF THE COURT FINDS THAT A RESPONDENT MAY QUALIFY FOR SOCIAL SERVICES ASSISTANCE, ANY PROCEEDING TO DISPOSSESS A TENANT FROM A MULTIPLE DWELLING OR AN ACTION AGAINST ANY TENANT FOR RENT IN A MULTIPLE DWELLING SHALL BE STAYED UNTIL SUCH TIME AS THE COURT FINDS IS NECESSARY FOR THE TENANT TO APPLY FOR AND RECEIVE A DETERMINATION OF ELIGIBILITY FROM A LOCAL SOCIAL SERVICES DISTRICT.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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