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

1847

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

Introduced by M. of A. MORELLE -- read once and referred to the Committee on Housing

AN ACT to amend the real property actions and proceedings law, in relation to grounds for the removal of a tenant from a dwelling when landlord-tenant relationship exists

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

Section 1. Subdivision 5 of section 711 of the real property actions and proceedings law, as added by chapter 312 of the laws of 1962, is amended to read as follows:

5. The premises, or any part thereof, are used or occupied as a bawdy-house, or house or place of assignation for lewd persons, or for purposes of prostitution, ILLEGAL GAMBLING OR ILLEGAL SALE OR POSSESSION OF A CONTROLLED SUBSTANCE OR MARIHUANA, or for any illegal trade or manufacture, or other illegal business. FOR PURPOSES OF THIS SUBDIVISION, TWO OR MORE CONVICTIONS OF ANY PERSON OR PERSONS HAD, WITHIN A PERIOD OF ONE YEAR, FOR ANY OF THE OFFENSES DESCRIBED IN ARTICLE TWO HUNDRED TWENTY OR TWO HUNDRED TWENTY-ONE OF THE PENAL LAW OR SECTION 225.00, 225.05, 225.10, 225.15, 225.20, 225.30, 225.32, 225.35, 225.40, 230.00, 230.05, 230.20, 230.25, 230.30 OR 230.40 OF THE PENAL LAW ARISING OUT OF CONDUCT ENGAGED IN AT THE SAME REAL PROPERTY CONSISTING OF A DWELLING AS THAT TERM IS DEFINED IN SUBDIVISION FOUR OF SECTION FOUR OF THE MULTIPLE DWELLING LAW OR WITHIN ONE THOUSAND FEET OF SUCH DWELLING SHALL BE PRESUMPTIVE EVIDENCE OF CONDUCT CONSTITUTING USE OF THE PREMISES FOR PURPOSES OF PROSTITUTION, ILLEGAL GAMBLING OR ILLEGAL SALE OR POSSESSION OF A CONTROLLED SUBSTANCE OR MARIHUANA.

S 2. This act shall take effect immediately.

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

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