

2997

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 22, 2009

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Introduced by M. of A. ROBINSON, CYMBROWITZ -- Multi-Sponsored by -- M.  
of A. BOYLAND, DIAZ, FARRELL, HOOPER, O'DONNELL, TOWNS, WEISENBERG,  
WRIGHT -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property law, in relation to protecting senior  
citizen status

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

1     Section 1. The real property law is amended by adding a new section  
2     237-b to read as follows:  
3     S 237-B. PROTECTED SENIOR CITIZEN STATUS. 1. IN ANY LEASE OR RENTAL  
4     AGREEMENT COVERING PREMISES OCCUPIED FOR DWELLING PURPOSES IN WHICH A  
5     LESSEE OR TENANT HAS ATTAINED THE AGE OF SIXTY-TWO YEARS OR OLDER, OR  
6     WILL ATTAIN SUCH AGE DURING THE TERM OF SUCH LEASE OR RENTAL AGREEMENT  
7     OR A HUSBAND OR WIFE OF SUCH A PERSON RESIDING WITH HIM OR HER, AND  
8     WHERE SUCH PERSON HAS RESIDED IN THE SAME RESIDENCE FOR A CONSECUTIVE  
9     PERIOD OF NOT LESS THAN TEN YEARS, THERE SHALL BE IMPLIED A COVENANT BY  
10    THE LESSOR OR OWNER TO PERMIT SUCH LESSEE OR TENANT, AN OPTION TO RENEW  
11    SUCH LEASE OR RENTAL AGREEMENT, SUBJECT TO A MAXIMUM INCREASE OF RENT OR  
12    OTHER PAYMENTS IN LIEU OF RENT, NOT TO EXCEED FIVE PERCENT OF THE ANNUAL  
13    AMOUNT OF SUCH PAYMENTS.  
14    2. ANY LESSOR OR OWNER WHO SHALL KNOWINGLY TERMINATE A LEASE OR RENTAL  
15    AGREEMENT COVERED BY THIS SECTION, OR IN ANY MANNER INTERFERES WITH THE  
16    OCCUPANCY OF A PREMISES COVERED BY SUCH LEASE OR RENTAL AGREEMENT, OR  
17    ATTEMPTS SO TO DO, SHALL BE GUILTY OF A MISDEMEANOR AND SHALL BE  
18    PUNISHED BY IMPRISONMENT NOT TO EXCEED ONE YEAR OR BY FINE NOT TO EXCEED  
19    ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT.  
20    S 2. This act shall take effect immediately.

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

LBD01852-01-9