

4359

2009-2010 Regular Sessions

I N A S S E M B L Y

February 3, 2009

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, in relation to limited-profit housing companies and other buildings or structures which received project-based rental assistance

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

1 Section 1. Section 5 of section 4 of chapter 576 of the laws of 1974
2 constituting the emergency tenant protection act of nineteen seventy-
3 four is amended by adding a new subdivision c to read as follows:
4 C. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, NOTHING SHALL
5 PREVENT THE DECLARATION OF AN EMERGENCY PURSUANT TO SECTION THREE OF
6 THIS ACT FOR RENTAL HOUSING ACCOMMODATIONS LOCATED IN BUILDINGS OR
7 STRUCTURES WHICH WERE OWNED BY A COMPANY ESTABLISHED UNDER ARTICLE TWO
8 OF THE PRIVATE HOUSING FINANCE LAW, OTHER THAN A MUTUAL COMPANY, WHICH
9 ARE NO LONGER OWNED BY SUCH COMPANY BY REASON OF A VOLUNTARY DISSOLUTION
10 PURSUANT TO SECTION THIRTY-FIVE OF SUCH LAW OR FOR RENTAL HOUSING ACCOM-
11 MODATIONS LOCATED IN BUILDINGS OR STRUCTURES DEFINED AS COVERED PROJECTS
12 PURSUANT TO SECTION 8 OF THE UNITED STATES HOUSING ACT OF NINETEEN THIR-
13 TY-SEVEN, AS AMENDED, OR ANY SUCCESSOR STATUTE, AND ANY REGULATIONS
14 PROMULGATED THEREUNDER IN WHICH RENTAL HOUSING ACCOMMODATIONS RECEIVED
15 PROJECT-BASED RENTAL ASSISTANCE FROM THE UNITED STATES DEPARTMENT OF
16 HOUSING AND URBAN DEVELOPMENT PURSUANT TO CONTRACTS WITH THE OWNERS OF
17 SUCH BUILDINGS OR STRUCTURES WHICH EXPIRED OR WERE TERMINATED. THE
18 PROVISIONS OF SUBDIVISION A OF SECTION NINE OF THIS ACT OR OF SUBDIVI-
19 SION A OF SECTION 26-513 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW
20 YORK SHALL NOT APPLY TO ANY HOUSING ACCOMMODATION WHICH BECAME SUBJECT
21 TO THIS ACT PURSUANT TO THE PROVISIONS OF THIS SUBDIVISION.
22 S 2. This act shall take effect immediately and shall apply in the
23 case of housing companies that dissolved or had contracts for rental
24 assistance that expired or were terminated on, before or after such

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

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1 date; provided that the amendments to section 5 of the emergency tenant
2 protection act of nineteen seventy-four made by section one of this act
3 shall expire on the same date as such act expires and shall not affect
4 the expiration of such act as provided in section 17 of chapter 576 of
5 the laws of 1974.