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

4590

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. CAMARA, ALFANO, BENJAMIN, JAFFEE, ROBINSON -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, GABRYSZAK, GOTTFRIED, LENTOL, MARKEY, SCARBOROUGH, WEISENBERG -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property actions and proceedings law, in relation to sealing the court records of evictions of tenants leasing real property that is the subject of a foreclosure

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

Section 1. The real property actions and proceedings law is amended by adding a new section 757 to read as follows:

S 757. EVICTION AS THE RESULT OF FORECLOSURE. IN THE EVENT THAT A LESSEE IS REMOVED FROM REAL PROPERTY PURSUANT TO THIS ARTICLE, AND THE LEASED REAL PROPERTY WAS THE SUBJECT OF A FORECLOSURE PROCEEDING PURSUANT TO THIS CHAPTER OR THE SUBJECT OF A TAX FORECLOSURE PROCEEDING, THE COURT RECORDS RELATING TO ANY SUCH LESSEE SHALL BE SEALED AND BE DEEMED CONFIDENTIAL. NO DISCLOSURE OR USE OF SUCH INFORMATION RELATING TO ANY SUCH LESSEE SHALL BE AUTHORIZED, AND THE USE OF SUCH INFORMATION SHALL BE PROHIBITED. ANY VIOLATION OF THIS SECTION SHALL RESULT IN A CIVIL PENALTY OF NOT LESS THAN ONE THOUSAND DOLLARS, NOR MORE THAN TWO THOUSAND DOLLARS.

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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