

6940--A

Cal. No. 461

2009-2010 Regular Sessions

I N A S S E M B L Y

March 17, 2009

Introduced by M. of A. V. LOPEZ, LENTOL, MILLMAN, GLICK, KAVANAGH --
Multi-Sponsored by -- M. of A. BARRON, GOTTFRIED, ROSENTHAL -- read
once and referred to the Committee on Housing -- reported from committee,
advanced to a third reading, amended and ordered reprinted,
retaining its place on the order of third reading

AN ACT in relation to prohibiting interruption of services in "would-be"
interim multiple dwellings

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

1 Section 1. Prohibition of service interruption. 1. In the case of a
2 unit in a building which would be covered by the provisions of article
3 7-C of the multiple dwelling law, as the provisions of such article
4 existed on January 1, 2010, but for the limitations contained in paragraph
5 (iii) of subdivision 1, paragraph (i), (iii), or (iv) of subdivision
6 2, or subdivision 3 or 4 of section 281 of such article, if such
7 unit is used for residential purposes with the knowledge and consent of
8 the owner, any essential services which have customarily been provided
9 to the spaces occupied for residential purposes shall not be interrupted
10 or discontinued, except for repairs which shall be performed in a
11 reasonably expedient manner or in the case of an emergency or by order
12 of a court or other governmental instrumentality. If the services have
13 been interrupted or discontinued, the owner must permit the restoration
14 of such services for so long as residential occupancy continues.
15 2. This act shall not in any way grant any rights of continued occupancy
16 or any other rights to such occupants or prevent an owner from
17 lawfully removing such occupants pursuant to court order.
18 3. Any agreement that waives or limits the benefits of this act shall
19 be deemed as void as against public policy.
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.

LBD10322-02-0