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

7882

2009-2010 Regular Sessions

I N A S S E M B L Y

April 28, 2009

Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring real property owners in the city of New York to register their properties

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

Section 1. The executive law is amended by adding a new section 378-a to read as follows:

S 378-A. REGISTRATION OF PROPERTY OWNERS IN THE CITY OF NEW YORK. EVERY OWNER OF A RESIDENTIAL DWELLING LOCATED IN THE CITY OF NEW YORK SHALL FILE IN THE DEPARTMENT OF SUCH CITY CHARGED WITH THE RESPONSIBILITY FOR ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE A NOTICE CONTAINING HIS NAME, ADDRESS AND A DESCRIPTION OF THE PREMISES, BY STREET NUMBER OR OTHERWISE, AND THE CLASS AND KIND OF THE DWELLING THEREON, IN SUCH MANNER AS WILL ENABLE SUCH DEPARTMENT TO FIND THE SAME; AND ALSO THE NUMBER OF ROOMS, APARTMENTS AND ROOMS IN EACH APARTMENT, IF ANY, ON EACH STORY, AND THE NUMBER OF FAMILIES OCCUPYING THE SAME. SUCH NOTICE SHALL CONTAIN THE NAME OF THE OWNER, THE ADDRESS OF THE OWNER'S PRINCIPAL PLACE OF RESIDENCE AND THE ADDRESS OF THE REGISTERED PROPERTY. FOR THE PURPOSES OF THIS SECTION THE TERM OWNER SHALL NOT INCLUDE LIMITED PARTNERS OR INACTIVE PARTNERS OR CO-OWNERS HAVING TEN PERCENT OR LESS OWNERSHIP OR INTEREST IN THE PROPERTY. IF SUCH OWNER OR LESSEE BE A CORPORATION, OTHER THAN A BANKING ORGANIZATION AS DEFINED IN SECTION TWO OF THE BANKING LAW, A NATIONAL BANKING ASSOCIATION, A FEDERAL SAVINGS AND LOAN ASSOCIATION, THE MORTGAGE FACILITIES CORPORATION, SAVINGS BANKS LIFE INSURANCE FUND, THE SAVINGS BANKS RETIREMENT SYSTEM, AN AUTHORIZED INSURER AS DEFINED IN SECTION ONE HUNDRED SEVEN OF THE INSURANCE LAW, OR A TRUST COMPANY OR OTHER CORPORATION ORGANIZED UNDER THE LAWS OF THIS STATE ALL THE CAPITAL STOCK OF WHICH IS OWNED BY AT LEAST TWENTY SAVINGS BANKS OR A SUBSIDIARY CORPORATION ALL OF THE CAPITAL STOCK OF WHICH IS OWNED BY SUCH TRUST COMPANY

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

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OR OTHER CORPORATION, THE NAMES AND RESIDENCE ADDRESSES OF ITS OFFICERS SHALL ALSO BE CONTAINED IN SUCH NOTICE. A SIMILAR NOTICE SHALL BE FILED WITHIN THIRTY DAYS FOLLOWING AN ELECTION OF ANY NEW OFFICER OR A CHANGE OF ADDRESS OF ANY SUCH OFFICER. THE PROVISIONS OF THIS SECTION ALSO SHALL APPLY TO SUCCESSORS IN TITLE, OWNERSHIP OR CONTROL OF ANY PREMISES, WHETHER BY ACT OF THE PARTIES OR BY PROCESS OR OPERATION OF LAW AND, WITHIN THIRTY DAYS AFTER SUCH SUCCESSION, PARTICULARS OF SUCH OWNERSHIP OR CONTROL SHALL BE FILED IN SUCH DEPARTMENT CHARGED WITH SUCH ENFORCEMENT. IF ANY SUCCESSOR IN INTEREST BE UNDER THE AGE OF TWENTY-ONE YEARS HIS DULY APPOINTED GUARDIAN OR, IF THERE BE NO GUARDIAN, HIS ADMINISTRATOR SHALL COMPLY WITH THIS SECTION IN HIS BEHALF. WHERE AFTER THE FILING OF ANY NOTICE UNDER THIS SECTION, THE PREMISES SHALL HAVE BEEN DECLARED A PUBLIC NUISANCE TO ANY EXTENT PURSUANT TO PARAGRAPH B OF SUBDIVISION ONE OF SECTION THREE HUNDRED NINE OF THE MULTIPLE DWELLING LAW AND SUCH DECLARATION SHALL HAVE BEEN FILED AS THEREIN PROVIDED, THE OWNER, IF A CORPORATION, OTHER THAN A BANKING ORGANIZATION AS DEFINED IN SECTION TWO OF THE BANKING LAW, A NATIONAL BANKING ASSOCIATION, A FEDERAL SAVINGS AND LOAN ASSOCIATION, THE MORTGAGE FACILITIES CORPORATION, SAVINGS BANKS LIFE INSURANCE FUND, THE SAVINGS BANKS RETIREMENT SYSTEM, AN AUTHORIZED INSURER AS DEFINED IN SECTION ONE HUNDRED SEVEN OF THE INSURANCE LAW, OR A TRUST COMPANY OR OTHER CORPORATION ORGANIZED UNDER THE LAWS OF THIS STATE ALL THE CAPITAL STOCK OF WHICH IS OWNED BY AT LEAST TWENTY SAVINGS BANKS OR A SUBSIDIARY CORPORATION ALL OF THE CAPITAL STOCK OF WHICH IS OWNED BY SUCH TRUST COMPANY OR OTHER CORPORATION, SHALL FILE A SIMILAR NOTICE WITHIN TEN DAYS WHICH SHALL IN ADDITION CONTAIN THE NAME AND RESIDENCE AND BUSINESS ADDRESS OF EACH DIRECTOR AND STOCKHOLDER OF THE CORPORATION AND OF EACH PERSON KNOWN TO HAVE ANY BENEFICIAL INTEREST IN SUCH STOCK.

S 2. This act shall take effect immediately.