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I N A S S E M B L Y

July 6, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Wright) --
read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to the standard of
proof for determination of eligibility for public housing based upon
remaining family member status

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

1 Section 1. The public housing law is amended by adding a new section
2 156-d to read as follows:
3 S 156-D. DETERMINATION OF REMAINING FAMILY MEMBER STATUS. 1. NOTWITH-
4 STANDING ANY PROVISIONS OF LAW TO THE CONTRARY, FOR THE PURPOSE OF
5 DETERMINING WHETHER AN INDIVIDUAL IS A REMAINING FAMILY MEMBER ENTITLED
6 TO CONTINUED OCCUPANCY OF A HOUSING UNIT SUPPLIED BY THE NEW YORK CITY
7 HOUSING AUTHORITY, THE STANDARD OF PROOF OF RESIDENCY BY SUCH INDIVIDUAL
8 FOR THE REQUISITE PERIOD SHALL NOT EXCEED THE STANDARD REQUIRED TO
9 DEMONSTRATE RESIDENCY BY INDIVIDUALS OCCUPYING HOUSING UNITS OR HOUSING
10 ACCOMMODATIONS SUBJECT TO THE PROVISIONS OF CHAPTERS FOUR AND FIVE OF
11 TITLE TWENTY-SIX OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK,
12 CHAPTER TWO HUNDRED SEVENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED FORTY-
13 SIX, CONSTITUTING THE EMERGENCY HOUSING RENT CONTROL LAW, AS AMENDED BY
14 CHAPTER TWO HUNDRED THIRTY-FOUR OF THE LAWS OF NINETEEN HUNDRED EIGHTY-
15 FOUR OR CHAPTER FIVE HUNDRED SEVENTY-SIX OF THE LAWS OF NINETEEN HUNDRED
16 SEVENTY-FOUR, CONSTITUTING THE EMERGENCY TENANT PROTECTION ACT OF NINE-
17 TEEN SEVENTY-FOUR, AS AMENDED BY CHAPTER TWO HUNDRED THIRTY-FOUR OF THE
18 LAWS OF NINETEEN HUNDRED EIGHTY-FOUR.
19 2. THE PROVISIONS OF THIS SECTION SHALL NOT AFFECT THE INCOME THRESH-
20 OLD REQUIREMENTS FOR DETERMINING ELIGIBILITY OF A REMAINING FAMILY
21 MEMBER FOR PUBLIC HOUSING.
22 S 2. This act shall take effect immediately and shall apply to all
23 applications for continued occupancy of a housing unit supplied by the
24 New York city housing authority submitted to such authority on or after
25 January 1, 2010.

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

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