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

2997

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. ROBINSON, CYMBROWITZ -- Multi-Sponsored by -- M. of A. BOYLAND, DIAZ, FARRELL, HOOPER, O'DONNELL, TOWNS, WEISENBERG, WRIGHT -- read once and referred to the Committee on Judiciary

AN ACT to amend the real property law, in relation to protecting senior citizen status

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

Section 1. The real property law is amended by adding a new section 237-b to read as follows:

S 237-B. PROTECTED SENIOR CITIZEN STATUS. 1. IN ANY LEASE OR RENTAL AGREEMENT COVERING PREMISES OCCUPIED FOR DWELLING PURPOSES IN WHICH A LESSEE OR TENANT HAS ATTAINED THE AGE OF SIXTY-TWO YEARS OR OLDER, OR WILL ATTAIN SUCH AGE DURING THE TERM OF SUCH LEASE OR RENTAL AGREEMENT OR A HUSBAND OR WIFE OF SUCH A PERSON RESIDING WITH HIM OR HER, AND WHERE SUCH PERSON HAS RESIDED IN THE SAME RESIDENCE FOR A CONSECUTIVE PERIOD OF NOT LESS THAN TEN YEARS, THERE SHALL BE IMPLIED A COVENANT BY THE LESSOR OR OWNER TO PERMIT SUCH LESSEE OR TENANT, AN OPTION TO RENEW SUCH LEASE OR RENTAL AGREEMENT, SUBJECT TO A MAXIMUM INCREASE OF RENT OR OTHER PAYMENTS IN LIEU OF RENT, NOT TO EXCEED FIVE PERCENT OF THE ANNUAL AMOUNT OF SUCH PAYMENTS.

2. ANY LESSOR OR OWNER WHO SHALL KNOWINGLY TERMINATE A LEASE OR RENTAL AGREEMENT COVERED BY THIS SECTION, OR IN ANY MANNER INTERFERES WITH THE OCCUPANCY OF A PREMISES COVERED BY SUCH LEASE OR RENTAL AGREEMENT, OR ATTEMPTS SO TO DO, SHALL BE GUILTY OF A MISDEMEANOR AND SHALL BE PUNISHED BY IMPRISONMENT NOT TO EXCEED ONE YEAR OR BY FINE NOT TO EXCEED ONE THOUSAND DOLLARS, OR BY BOTH SUCH FINE AND IMPRISONMENT.

S 2. This act shall take effect immediately.

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

LBD01852-01-9