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

5088

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ, ORTIZ -- read once and referred to the Committee on Housing

AN ACT to amend the emergency tenant protection act of nineteen seventy-four and the administrative code of the city of New York, in relation to prohibiting charging market rent for certain vacant housing accommodations

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

Section 1. Section 6 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new subdivision h to read as follows:

H. NO OWNER SHALL BE ENTITLED TO CHARGE A MARKET OR FIRST RENT FOR A VACANT HOUSING ACCOMMODATION SOLELY BY REASON OF A CHANGE IN THE PERIMETER AND DIMENSIONS OF SUCH ACCOMMODATION THAT REDUCES THE SIZE OF SUCH ACCOMMODATION.

S 2. Subdivision c of section 26-511 of the administrative code of the city of New York is amended by adding a new paragraph 5-b to read as follows:

(5-B) PROVIDES THAT, NO OWNER SHALL BE ENTITLED TO CHARGE A MARKET OR FIRST RENT FOR A VACANT HOUSING ACCOMMODATION SOLELY BY REASON OF A CHANGE IN THE PERIMETER AND DIMENSIONS OF SUCH ACCOMMODATION THAT REDUCES THE SIZE OF SUCH ACCOMMODATION.

S 3. This act shall take effect immediately, and shall apply to all proceedings pending before the New York state division of housing and community renewal or before any court on the date it shall take effect; and provided that the amendments to section 6 of the emergency tenant protection act of nineteen seventy-four made by section one of this act shall expire on the same date as such act expires and shall not affect the expiration of such act as provided in section 17 of chapter 576 of the laws of 1974; and provided that the amendments to subdivision c of section 26-511 of the rent stabilization law of nineteen hundred sixty-nine made by section two of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.

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

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