

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

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I N A S S E M B L Y

January 12, 2011

Introduced by M. of A. ROSENTHAL, BING, V. LOPEZ, BENEDETTO, MILLMAN, JEFFRIES, ROBINSON, COOK, WRIGHT, CAMARA, MARKEY, PHEFFER, TITONE, MAISEL, LANCMAN, O'DONNELL, DINOWITZ, KAVANAGH, P. RIVERA, TITUS, CYMBROWITZ, SPANO, COLTON, BROOK-KRASNY, GIBSON -- Multi-Sponsored by -- M. of A. BARRON, BOYLAND, BRENNAN, CASTRO, FARRELL, GLICK, GOTTFRIED, HEASTIE, HEVESI, KELLNER, MAYERSOHN, J. RIVERA, N. RIVERA, TOWNS -- read once and referred to the Committee on Housing

AN ACT to amend the private housing finance law, in relation to limited profit housing companies in a city with a population of one million or more

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

1 Section 1. The private housing finance law is amended by adding a new
2 section 35-a to read as follows:
3 S 35-A. RENT FOLLOWING DISSOLUTION. 1. AS USED IN THIS SECTION, THE
4 FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
5 (A) "AFFECTED DEVELOPMENT" SHALL MEAN HOUSING ACCOMMODATIONS THAT (I)
6 PRIOR TO THE DISSOLUTION DATE WERE OPERATED AS A RENTAL DEVELOPMENT
7 PURSUANT TO THIS ARTICLE; AND (II) FOLLOWING THE DISSOLUTION DATE ARE
8 SUBJECT TO THE RENT STABILIZATION LAW OF NINETEEN HUNDRED SIXTY-NINE OR
9 THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR.
10 (B) "AFFECTED DWELLING UNIT" SHALL MEAN A HOUSING UNIT IN AN AFFECTED
11 DEVELOPMENT.
12 (C) "AFFECTED HOUSING COMPANY" SHALL MEAN A LIMITED-PROFIT HOUSING
13 COMPANY WITH AN AFFECTED DEVELOPMENT.
14 (D) "DISSOLUTION DATE" SHALL MEAN, WITH RESPECT TO ANY AFFECTED DEVEL-
15 OPMENT, THE DATE OF DISSOLUTION OR RECONSTITUTION OF THE AFFECTED HOUS-
16 ING COMPANY WITH SUCH AFFECTED DEVELOPMENT PURSUANT TO SECTION
17 THIRTY-FIVE OF THIS ARTICLE.
18 2. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL
19 LAW: (A) THE INITIAL LEGAL REGULATED RENT FOR ANY AFFECTED DWELLING

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

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1 UNIT ON AND AFTER THE DISSOLUTION DATE SHALL BE THE LAST RENT AUTHORIZED
2 FOR THE AFFECTED DWELLING UNIT BEFORE THE DISSOLUTION DATE, INCLUDING
3 RENTAL SURCHARGES, IF ANY, AND (B) SUCH LEGAL REGULATED RENT SHALL NOT
4 AT ANY TIME BE SUBJECT TO ADJUSTMENT PURSUANT TO SUBDIVISION A OF
5 SECTION 26-513 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, OR
6 SUBDIVISION A OF SECTION 9 OF SECTION 4 OF THE EMERGENCY TENANT
7 PROTECTION ACT OF NINETEEN SEVENTY-FOUR.

8 S 2. This act shall take effect immediately.