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

3113

2011-2012 Regular Sessions

I N S E N A T E

February 9, 2011

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to provide continued tenancy for certain non-purchasing senior citizens in the city of New York; and to amend chapter 555 of the laws of 1982 amending the general business law and the administrative code of the city of New York relating to conversion of residential property to cooperative or condominium ownership in the city of New York, in relation to extending the expiration thereof

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

Section 1. The legislature hereby finds that due to the special circumstances of senior citizens, a greater degree of care must be taken in preserving the essentials of life for the elderly. In 1982, and again in 1986, the legislature recognized the particular hardship of relocation for such persons and extended to eligible senior citizens protection from eviction pursuant to certain cooperative or condominium conversion plans. The legislature hereby finds that greater protection must be afforded to senior citizens currently residing in multiple dwellings subject to a cooperative or condominium conversion plan in the city of New York and threatened with eviction pursuant to an eviction plan.

S 2. Notwithstanding any contrary provision of law, any person who attains the age of sixty-two years or older on or before July 1, 2011, who is and has continuously been since prior to January 1, 1982, a tenant of a dwelling unit located in a building or group of buildings or development in the city of New York subject to a cooperative or condominium conversion eviction plan, and who is a non-purchasing tenant and otherwise subject to eviction may remain in occupancy, with all of the rights of non-purchasing tenants as provided in paragraph (c) of subdivision 2 of section 352-eeee of the general business law and all

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

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protections extended by applicable rent regulation laws and provisions; provided, however, that the units occupied by such tenants or the shares allocated thereto have not been sold to a bona fide purchaser for occupancy prior to the effective date of this act; and provided further, however, that the right of succession with respect to such unit shall be limited to the spouses of such tenants, and thereafter, such family members of such tenants which are named on the lease for such dwelling unit.

S 3. Section 10 of chapter 555 of the laws of 1982, amending the general business law and the administrative code of the city of New York relating to conversion of residential property to cooperative or condominium ownership in the city of New York, as amended by chapter 82 of the laws of 2003, is amended to read as follows:

S 10. This act shall take effect immediately; provided, that the provisions of sections one, two and nine of this act shall remain in full force and effect only until and including June 15, [2011] 2016; provided further that the provisions of section three of this act shall remain in full force and effect only so long as the public emergency requiring the regulation and control of residential rents and evictions continues as provided in subdivision 3 of section 1 of the local emergency housing rent control act; provided further that the provisions of sections four, five, six and seven of this act shall expire in accordance with the provisions of section 26-520 of the administrative code of the city of New York as such section of the administrative code is, from time to time, amended; provided further that the provisions of section 26-511 of the administrative code of the city of New York, as amended by this act, which the New York City Department of Housing Preservation and Development must find are contained in the code of the real estate industry stabilization association of such city in order to approve it, shall be deemed contained therein as of the effective date of this act; and provided further that any plan accepted for filing by the department of law on or before the effective date of this act shall continue to be governed by the provisions of section 352-eeee of the general business law as they had existed immediately prior to the effective date of this act.

S 4. This act shall take effect immediately.