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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

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

AN ACT to amend the emergency tenant protection act of nineteen seventy-four, the emergency housing rent control law and the New York city charter, in relation to investigations and inspections by the city of New York

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

1 Section 1. Subdivision a of section 12 of section 4 of chapter 576 of
2 the laws of 1974, constituting the emergency tenant protection act of
3 nineteen seventy-four is amended by adding a new paragraph 9 to read as
4 follows:

5 (9) THE STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL MAY AUTHORIZE
6 THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT IN THE CITY OF
7 NEW YORK, OR ITS SUCCESSOR AGENCY, TO EXERCISE ANY OF THE DIVISION'S
8 POWERS UNDER THIS ACT WITHIN THE CITY OF NEW YORK, PURSUANT TO AGREEMENT
9 WITH THAT DEPARTMENT OR AGENCY.

10 S 2. Subdivision 1 of section 6 of chapter 274 of the laws of 1946,
11 constituting the emergency housing rent control law, as amended by chap-
12 ter 337 of the laws of 1961, is amended to read as follows:

13 1. (A) THE STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL MAY
14 AUTHORIZE THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT IN THE
15 CITY OF NEW YORK, OR ITS SUCCESSOR AGENCY, TO EXERCISE ANY OF THE DIVI-
16 SION'S POWERS UNDER THIS LAW WITHIN THE CITY OF NEW YORK, PURSUANT TO
17 AGREEMENT WITH THAT DEPARTMENT OR AGENCY.

18 (B) The commission is authorized to make such studies and investi-
19 gations, to conduct such hearings, and to obtain such information as the
20 commission deems necessary or proper in prescribing any regulation or

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

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1 order under this act or in the administration and enforcement of this
2 act and regulations and orders thereunder.

3 S 3. Section 1802 of the New York city charter is amended by adding a
4 new subdivision 7 to read as follows:

5 7. ALL POWERS, RIGHTS AND DUTIES AUTHORIZED BY AND PURSUANT TO AN
6 AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY
7 RENEWAL, OR ITS SUCCESSOR AGENCY, UNDER SECTION TWELVE OF THE EMERGENCY
8 TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR AND SUBDIVISION ONE OF
9 SECTION SIX OF THE EMERGENCY HOUSING RENT CONTROL LAW.

10 S 4. Severability. If any provision of this act, or any application
11 of any provision of this act, is held to be invalid, that shall not
12 affect the validity or effectiveness of any other provision of this act,
13 or of any other application of any provision of this act or any other
14 provision of any law or code amended by this act.

15 S 5. This act shall take effect immediately; provided that the amend-
16 ments to section 12 of the emergency tenant protection act of nineteen
17 seventy-four made by section one of this act shall expire on the same
18 date as such act expires and shall not affect the expiration of such act
19 as provided in section 17 of chapter 576 of the laws of 1974; and
20 provided that the amendments to section six of the emergency housing
21 rent control law made by section two of this act shall expire on the
22 same date as such law expires and shall not affect the expiration of
23 such law as provided in subdivision 2 of section 1 of chapter 274 of the
24 laws of 1946.