

4900

2011-2012 Regular Sessions

I N A S S E M B L Y

February 9, 2011

Introduced by M. of A. ROSENTHAL, GOTTFRIED -- read once and referred to
the Committee on Housing

AN ACT to amend the administrative code of the city of New York, in
relation to the filing of an overcharge complaint

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

1 Section 1. Paragraph 2 of subdivision a of section 26-516 of the
2 administrative code of the city of New York is amended by adding two new
3 subparagraphs (iii) and (iv) to read as follows:
4 (III) FAILURE OF AN OWNER TO COMPLY WITH AN ORDER ISSUED UNDER THE
5 PROVISIONS OF THIS TITLE SHALL CONSTITUTE A CONTINUING VIOLATION TO BE
6 INCLUDED IN THE RENTAL HISTORY OF THE HOUSING ACCOMMODATION IRRESPECTIVE
7 OF WHETHER SUCH VIOLATION OCCURRED OUTSIDE OF THE FOUR YEAR PERIOD
8 PRECEDING THE FILING OF SUCH COMPLAINT AND PROVIDED FURTHER, THAT FAIL-
9 URE TO COMPLY WITH AN ORDER ISSUED UNDER THIS ARTICLE SHALL BE IMPUTED
10 TO ANY SUCCESSOR IN INTEREST OF THE HOUSING ACCOMMODATION, PROVIDED SUCH
11 PERSON OR PERSONS HAS ACTUAL NOTICE OF SUCH VIOLATION.
12 (IV) ANY COMPLAINT BASED ON FRAUD SHALL BE REVIEWED BY THE STATE DIVI-
13 SION OF HOUSING AND COMMUNITY RENEWAL IRRESPECTIVE OF WHETHER SUCH FRAUD
14 OCCURRED OUTSIDE OF THE FOUR YEAR PERIOD PRECEDING THE FILING OF SUCH
15 COMPLAINT.
16 S 2. This act shall take effect immediately; provided that the amend-
17 ments to section 26-516 of chapter 4 of title 26 of the administrative
18 code of the city of New York made by section one of this act shall
19 expire on the same date as such law expires and shall not affect the
20 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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