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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph 2 of subdivision a of section 26-516 of the administrative code of the city of New York is amended by adding two new subparagraphs (iii) and (iv) to read as follows:

(III) FAILURE OF AN OWNER TO COMPLY WITH AN ORDER ISSUED UNDER THE PROVISIONS OF THIS TITLE SHALL CONSTITUTE A CONTINUING VIOLATION TO BE INCLUDED IN THE RENTAL HISTORY OF THE HOUSING ACCOMMODATION IRRESPECTIVE OF WHETHER SUCH VIOLATION OCCURRED OUTSIDE OF THE FOUR YEAR PERIOD PRECEDING THE FILING OF SUCH COMPLAINT AND PROVIDED FURTHER, THAT FAILURE TO COMPLY WITH AN ORDER ISSUED UNDER THIS ARTICLE SHALL BE IMPUTED TO ANY SUCCESSOR IN INTEREST OF THE HOUSING ACCOMMODATION, PROVIDED SUCH PERSON OR PERSONS HAS ACTUAL NOTICE OF SUCH VIOLATION.

(IV) ANY COMPLAINT BASED ON FRAUD SHALL BE REVIEWED BY THE STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL IRRESPECTIVE OF WHETHER SUCH FRAUD OCCURRED OUTSIDE OF THE FOUR YEAR PERIOD PRECEDING THE FILING OF SUCH COMPLAINT.

S 2. This act shall take effect immediately; provided that the amendments to section 26-516 of chapter 4 of title 26 of the administrative code of the city of New York made by section one 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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