

4263

2011-2012 Regular Sessions

I N S E N A T E

March 25, 2011

Introduced by Sen. GOLDEN -- 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 multiple dwelling law and the administrative code of the city of New York, in relation to clarifying certain provisions relating to occupancy of class A multiple dwellings

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

1 Section 1. Paragraph a of subdivision 8 of section 4 of the multiple  
2 dwelling law is amended by adding a new subparagraph 3 to read as  
3 follows:

4 (3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT  
5 FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCON-  
6 SISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESI-  
7 DENCE PURPOSES IF:

8 (A) SUCH DWELLING UNIT DOES NOT PROVIDE SINGLE ROOM OCCUPANCY AS  
9 DEFINED BY SUBDIVISION SIXTEEN OF THIS SECTION;

10 (B) SUCH DWELLING UNIT CONTAINS A BATHROOM AND A KITCHEN;

11 (C) WORKING SMOKE DETECTORS ARE LOCATED IN EACH ROOM OF THE UNIT; AND

12 (D) THE DWELLING UNIT HAS SUFFICIENT FIRE, HAZARD, AND LIABILITY  
13 INSURANCE TO COVER THOSE PERSONS USING THE UNIT FOR SUCH OCCUPANCY.

14 S 2. Section 4 of the multiple dwelling law is amended by adding a new  
15 subdivision 15-a to read as follows:

16 15-A. "VACATION RENTAL UNIT" IS A CLASS A MULTIPLE DWELLING UNIT THAT  
17 IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS.  
18 ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPRO-  
19 PRIATELY.

20 S 3. Subparagraph (a) of paragraph 8 of subdivision a of section  
21 27-2004 of the administrative code of the city of New York is amended by  
22 adding a new clause 3 to read as follows:

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

LBD10513-02-1

1 (3) IN A CLASS A MULTIPLE DWELLING, THE USE OF A VACATION RENTAL UNIT  
2 FOR OCCUPANCY FOR FEWER THAN THIRTY CONSECUTIVE DAYS SHALL NOT BE INCON-  
3 SISTENT WITH THE OCCUPANCY OF SUCH MULTIPLE DWELLING FOR PERMANENT RESI-  
4 DENCE PURPOSES IF:

5 (A) SUCH DWELLING UNIT DOES NOT PROVIDE SINGLE ROOM OCCUPANCY AS  
6 DEFINED BY SUBDIVISION SEVENTEEN OF THIS SECTION;

7 (B) SUCH DWELLING UNIT CONTAINS A BATHROOM AND A KITCHEN;

8 (C) WORKING SMOKE DETECTORS ARE LOCATED IN EACH ROOM OF THE UNIT; AND

9 (D) THE DWELLING UNIT HAS SUFFICIENT FIRE, HAZARD, AND LIABILITY  
10 INSURANCE TO COVER THOSE PERSONS USING THE UNIT FOR SUCH OCCUPANCY.

11 S 4. Subdivision a of section 27-2004 of the administrative code of  
12 the city of New York is amended by adding a new paragraph 14-a to read  
13 as follows:

14 14-A. VACATION RENTAL UNIT IS A CLASS A MULTIPLE DWELLING UNIT THAT  
15 IS AVAILABLE FOR RENT, OR FOR HIRE, FOR LESS THAN THIRTY DAYS BY GUESTS.  
16 ALL COMPENSATION RECEIVED FOR RENT, OR FOR HIRE, SHALL BE TAXED APPRO-  
17 PRIATELY.

18 S 5. This act shall take effect on the same date and in the same  
19 manner as section 8 of chapter 225 of the laws of 2010, as amended,  
20 takes effect.