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

477

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. STAVISKY -- 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 real property actions and proceedings law, in relation to evictions from multiple dwellings

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

Section 1. The real property actions and proceedings law is amended by adding a new section 770-a to read as follows:

S 770-A. EVICTIONS. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW, RULE, REGULATION OR CODE TO THE CONTRARY, NO TENANT OF A MULTIPLE DWELLING, COMPRISING SIX OR MORE UNITS, MAY BE EVICTED FOR THE NON-PAYMENT OF RENT FROM SUCH MULTIPLE DWELLING AFTER HAVING REGISTERED A COMPLAINT WITH A LOCAL RENT OFFICE UNTIL SUCH LOCAL RENT OFFICE OR COURT HAS DETERMINED THAT SUCH COMPLAINT IS WITHOUT MERIT, THE GROUNDS FOR SUCH COMPLAINT NO LONGER EXIST, OR A COURT OF COMPETENT JURISDICTION HAS SPECIFICALLY DETERMINED THAT RENT SHOULD BE PAID NOTWITHSTANDING SUCH COMPLAINT, PROVIDED, HOWEVER, THE COURT HAS THE RIGHT TO ORDER THE EVICTION OF SUCH TENANT, NOTWITHSTANDING THIS SECTION, IF THE COURT FINDS THE COMPLAINT WAS MADE FRIVOLOUSLY OR WITH THE INTENT TO DEFRAUD BY SUCH TENANT.

S 2. This act shall take effect immediately.

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

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