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

2750--A

2013-2014 Regular Sessions

I N A S S E M B L Y

January 17, 2013

Introduced by M. of A. KAVANAGH, KELLNER -- read once and referred to the Committee on Housing -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the emergency tenant protection act of nineteen seventy-four and the administrative code of the city of New York, in relation to prohibiting landlords from increasing rent for major capital improvements funded through state entities

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

Section 1. Subdivision d of section 6 of section 4 of chapter 576 of the laws of 1974 constituting the emergency tenant protection act of nineteen seventy-four is amended by adding a new paragraph 6 to read as follows:

(6) NOTWITHSTANDING PARAGRAPH THREE OF THIS SUBDIVISION THERE SHALL BE NO ADJUSTMENT FOR ANY MAJOR CAPITAL IMPROVEMENT FUNDED IN ANY PART FROM MONEYS PROVIDED BY THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY.

S 2. Paragraph 1 of subdivision g of section 26-405 of the administrative code of the city of New York, is amended by adding a new subparagraph (p) to read as follows:

(P) NOTWITHSTANDING SUBPARAGRAPHS (G) OR (K) OF THIS PARAGRAPH, THERE SHALL BE NO ADJUSTMENT FOR ANY MAJOR CAPITAL IMPROVEMENT OR FOR ANY OTHER EXPENDITURES TO IMPROVE, RESTORE OR PRESERVE THE QUALITY OF A STRUCTURE IF SUCH MAJOR CAPITAL IMPROVEMENT OR SUCH OTHER EXPENDITURE IS FUNDED IN ANY PART FROM MONEYS PROVIDED BY THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY.

S 3. This act shall take effect immediately; provided that:

(a) the amendments to subdivision d of section 6 of section 4 of the emergency tenant protection act of nineteen seventy-four made by section one of this act shall expire on the same date as such act expires and

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

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shall not affect the expiration of such act as provided in section 17 of chapter 576 of the laws of 1974; and

(b) the amendments to section 26-405 of the city rent and rehabilitation law made by section two of this act shall remain in full force and effect only as long as the public emergency requiring the regulation and control of residential rents and evictions continues, as provided in subdivision 3 of section 1 of the local emergency housing rent control act.