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

853

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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

AN ACT to amend the civil practice law and rules, in relation to providing for the exemption of rent regulated apartment leases from the satisfaction of a money judgment

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

Section 1. Paragraphs 8 and 9 of subdivision (a) of section 5205 of the civil practice law and rules, paragraph 8 as amended by chapter 1 of the laws of 2011 and paragraph 9 as added by chapter 568 of the laws of 2010, are amended to read as follows:

8. one motor vehicle not exceeding four thousand dollars in value above liens and encumbrances of the debtor; if such vehicle has been equipped for use by a disabled debtor, then ten thousand dollars in value above liens and encumbrances of the debtor; provided, however, that this exemption for one motor vehicle shall not apply if the debt enforced is for child support, spousal support, maintenance, alimony or equitable distribution, or if the state of New York or any of its agencies or any municipal corporation is the judgment creditor; [and]

9. A LEASE NOT EXCEEDING ONE HUNDRED FIFTY THOUSAND DOLLARS IN VALUE, HELD AND OCCUPIED BY THE JUDGMENT DEBTOR OR FAMILY FOR A RENT REGULATED UNIT, REGULATED UNDER THE RENT STABILIZATION LAW OF NINETEEN HUNDRED SIXTY-NINE, THE EMERGENCY TENANT PROTECTION ACT OF NINETEEN SEVENTY-FOUR, THE EMERGENCY HOUSING RENT CONTROL LAW, THE LIMITED-PROFIT HOUSING COMPANIES ACT OR THE CITY RENT AND REHABILITATION LAW; AND

10. if no homestead exemption is claimed, then one thousand dollars in personal property, bank account or cash.

S 2. This act shall take effect immediately and shall apply to the satisfaction of judgments on or after such date.

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

LBD05202-01-3