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I N   A S S E M B L Y

May 11, 2016

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

AN ACT to amend the real property actions and proceedings law, in relation to the definition of "tenant" for purposes of mortgage foreclosures

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

1     Section 1. Paragraph (c) of subdivision 1 of section 1305 of the real  
2     property actions and proceedings law, as added by chapter 507 of the  
3     laws of 2009, is amended to read as follows:  
4     (c) "Tenant" shall mean any person who [at the time the notice  
5     required by subdivision four of section thirteen hundred three of this  
6     article] appears as a lessee on a lease of one or more dwelling units of  
7     a residential real property that is subordinate to the mortgage on such  
8     residential real property; or who at such time is a party to an oral or  
9     implied rental agreement with the mortgagor and obligated to pay rent to  
10    the mortgagor or such mortgagor's representative, for the use or occupancy  
11    of one or more dwelling units of a residential real property.  
12    S 2. This act shall take effect on the first of January next succeeding  
13    the date on which it shall have become a law, and shall apply to  
14    actions commenced on or after such date.

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

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