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

3588--A

2015-2016 Regular Sessions

I N S E N A T E

February 12, 2015

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- 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, in relation to capping the amount of collectible rent increases due to major capital improvements at six percent of the legal regulated rent

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

Section 1. Paragraph 3 of 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, as amended by section 30 of part A of chapter 20 of the laws of 2015, is amended to read as follows:

(3) there has been since January first, nineteen hundred seventy-four a major capital improvement required for the operation, preservation or maintenance of the structure. An adjustment under this paragraph shall be in an amount sufficient to amortize the cost of the improvements pursuant to this paragraph over an eight-year period for a building with thirty-five or fewer housing accommodations, or a nine-year period for a building with more than thirty-five housing accommodations, for any determination issued by the division of housing and community renewal after the effective date of the rent act of 2015; PROVIDED THAT THE COLLECTION OF ANY INCREASE IN THE LEGAL REGULATED RENT FOR ANY HOUSING ACCOMMODATION PURSUANT TO THIS PARAGRAPH SHALL NOT EXCEED SIX PERCENT IN ANY YEAR FROM THE EFFECTIVE DATE OF THE ORDER GRANTING THE INCREASE OVER THE LEGAL REGULATED RENT REGISTERED PURSUANT TO SECTION TWELVE-A OF THIS ACT, WITH COLLECTIBILITY OF ANY DOLLAR EXCESS ABOVE SAID SUM TO BE SPREAD FORWARD IN SIMILAR INCREMENTS AND ADDED TO THE LEGAL REGULATED

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

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RENT AS ESTABLISHED OR SET IN FUTURE YEARS. IN NO EVENT SHALL MORE THAN ONE SIX PERCENT INCREASE IN THE LEGAL REGULATED RENT PURSUANT TO THIS PARAGRAPH BE COLLECTED IN THE SAME YEAR, or

S 2. This act shall take effect immediately; provided, however, that the amendment to 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 shall not affect the expiration of such act as provided in section 17 of chapter 576 of the laws of 1974, as amended.