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

7295

I N  S E N A T E

April 13, 2016

Introduced by Sen. MARCHIONE -- 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 authorizing municipalities to compel mortgagees either to complete a mortgage foreclosure proceeding pursuant to article 13 of the real property actions and proceedings law or to issue a certificate of discharge of the mortgage for any property which has been certified abandoned pursuant to real property actions and proceedings law section 1971

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

Section 1. Short title. This act shall be known and may be cited as the "zombie property remediation act of 2016".

S 2. The real property actions and proceedings law is amended by adding a new section 1392 to read as follows:

S 1392. FORECLOSURE ACTIONS INVOLVING ABANDONED PROPERTIES. IF A PROPERTY HAS BEEN CERTIFIED ABANDONED PURSUANT TO SECTION NINETEEN HUNDRED SEVENTY-ONE OF THIS CHAPTER, THE CITY, VILLAGE, OR TOWN IN WHICH THE PROPERTY IS LOCATED MAY COMMENCE A PROCEEDING IN A COURT OF COMPETENT JURISDICTION IN THE COUNTY IN WHICH THE PROPERTY IS LOCATED TO COMPEL ANY OR ALL MORTGAGEES TO EITHER: (A) COMPLETE A MORTGAGE FORECLOSURE PROCEEDING PURSUANT TO ARTICLE THIRTEEN OF THIS CHAPTER WITHIN A REASONABLE TIME PERIOD AS DETERMINED BY THE COURT; OR (B) ISSUE A CERTIFICATE OF DISCHARGE OF THE MORTGAGE.

S 3. This act shall take effect immediately.

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

LBD14744-02-6