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I N   S E N A T E

June 1, 2016

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Introduced by Sen. STEWART-COUSINS -- 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 emergency tenant protection act of nineteen seventy-four, in relation to public members of a rent guidelines board

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

1     Section 1. Subdivision a of section 4 of section 4 of chapter 576 of  
2     the laws of 1974 constituting the emergency tenant protection act of  
3     nineteen seventy-four, as amended by chapter 349 of the laws of 1979, is  
4     amended to read as follows:  
5     a. In each county wherein any city having a population of less than  
6     one million or any town or village has determined the existence of an  
7     emergency pursuant to section three of this act, there shall be created  
8     a rent guidelines board to consist of nine members appointed by the  
9     commissioner of housing and community renewal upon recommendation of the  
10    county legislature which recommendation shall be made within thirty days  
11    after the first local declaration of an emergency in such county; two  
12    such members shall be representative of tenants, two shall be represen-  
13    tative of owners of property, and five shall be public members each of  
14    whom shall have had at least [five] TWO years experience in either  
15    finance, economics or housing. THE PUBLIC MEMBERS MAY NOT BE EMPLOYED BY  
16    AN ORGANIZATION, LAW FIRM, OR OTHER ENTITY WHICH PREDOMINANTLY REPRES-  
17    ENTS OR ADVISES LANDLORDS OR TENANTS AS PART OF THEIR BUSINESS OR PRAC-  
18    TICE. One public member shall be designated by the commissioner to serve  
19    as chairman and shall hold no other public office. No member, officer or  
20    employee of any municipal rent regulation agency or the state division  
21    of housing and community renewal and no person who owns or manages real  
22    estate covered by this law or who is an officer of any owner or tenant  
23    organization shall serve on a rent guidelines board. One public member,  
24    one member representative of tenants and one member representative of  
25    owners shall serve for a term ending two years from January first next  
26    succeeding the date of their appointment; one public member, one member  
27    representative of tenants and one member representative of owners shall

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

LBD15516-01-6

1 serve for terms ending three years from the January first next succeed-  
2 ing the date of their appointment and three public members shall serve  
3 for terms ending four years from January first next succeeding the dates  
4 of their appointment. Thereafter, all members shall serve for terms of  
5 four years each. Members shall continue in office until their succes-  
6 sors have been appointed and qualified. The commissioner shall fill any  
7 vacancy which may occur by reason of death, resignation or otherwise in  
8 a manner consistent with the original appointment. A member may be  
9 removed by the commissioner for cause, but not without an opportunity to  
10 be heard in person or by counsel, in his defense, upon not less than ten  
11 days notice. Compensation for the members of the board shall be at the  
12 rate of one hundred dollars per day, for no more than twenty days a  
13 year, except that the chairman shall be compensated at the rate of one  
14 hundred twenty-five dollars a day for no more than thirty days a year.  
15 The board shall be provided staff assistance by the division of housing  
16 and community renewal. The compensation of such members and the costs of  
17 staff assistance shall be paid by the division of housing and community  
18 renewal which shall be reimbursed in the manner prescribed in THIS  
19 section [four of this act]. The local legislative body of each city  
20 having a population of less than one million and each town and village  
21 in which an emergency has been determined to exist as herein provided  
22 shall be authorized to designate one person who shall be representative  
23 of tenants and one person who shall be representative of owners of prop-  
24 erty to serve at its pleasure and without compensation to advise and  
25 assist the county rent guidelines board in matters affecting the adjust-  
26 ment of rents for housing accommodations in such city, town or village  
27 as the case may be.

28 S 2. This act shall take effect immediately; provided that the amend-  
29 ments to section 4 of the emergency tenant protection act of nineteen  
30 seventy-four made by section one of this act shall expire on the same  
31 date as such act expires and shall not affect the expiration of such act  
32 as provided in section 17 of chapter 576 of the laws of 1974.