STATE OF NEW YORK

5015--B

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. O'DONNELL -- Multi-Sponsored by -- M. of A. EPSTEIN -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to prohibiting deregulation without verification of the tax abatement/credit status of a building and requiring local agencies to notify the state division of housing and community renewal of approval of an application for a tax exemption

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 26-504.4 to read as follows:

§ 26-504.4 Deregulation. Notwithstanding any other provision of law to the contrary, the state division of housing and community renewal shall verify current tax abatement/credit status of buildings before allowing units to be deregulated under any applicable provision of law.

§ 2. The administrative code of the city of New York is amended by adding a new section 26-517.2 to read as follows:

§ 26-517.2 Additional information. a. In addition to providing tenants with registration information as required by subdivisions d and f of section 26-517 of this chapter, the state division of housing and community renewal shall give notice in writing to all owners of buildings regulated pursuant to this chapter that (i) such owner must register each unit as rent stabilized pursuant to section 26-517 of this chapter; (ii) such owner must issue rent stabilized leases to all rental tenants;

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

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and (iii) failure to register pursuant to section 26-517 of this chapter may subject such owner to fines and penalties as provided in this chapter. In addition, a copy of the notice required pursuant to this section must be mailed by the state division of housing and community renewal to the tenant in occupancy of each unit regulated pursuant to this chapter.

b. Notice required pursuant to this section shall be provided annually. Such notice shall also be provided when a new tenant takes occupancy of a regulated unit.

c. Notwithstanding any other provision of law to the contrary, local agencies shall immediately notify the state division of housing and community renewal in writing, on a form approved by the commissioner of the state division of housing and community renewal, that an application for an exemption under section four hundred twenty-one-a of the real property tax law has been approved. Such notification shall provide the beginning and end dates of such exemption.

§ 3. Section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new section 5-b to read as follows:

§ 5-b. Deregulation. Notwithstanding any other provision of law to the contrary, the state division of housing and community renewal shall verify current tax abatement status of buildings before allowing units to be deregulated under any applicable provision of law.

§ 4. Section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new section 12-b to read as follows:

§ 12-b. Additional information. a. In addition to providing tenants with registration information as required by subdivisions d and f of section 12-a of this section, the state division of housing and community renewal shall give notice in writing to all owners of buildings regulated pursuant to this chapter that (i) such owner must register each unit as rent stabilized; (ii) such owner must issue rent stabilized leases to all rental tenants; and (iii) failure to register pursuant to section 12-a of this section may subject such owner to fines and penalties as provided in this act. In addition, a copy of the notice required pursuant to this section must be mailed by the state division of housing and community renewal to the tenant in occupancy of each unit regulated pursuant to this chapter.

b. Notice required pursuant to this section shall be provided annually. Such notice shall also be provided when a new tenant takes occupancy of a regulated unit.

§ 5. Section 13 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as amended by chapter 403 of the laws of 1983, is amended to read as follows:

§ 13. Cooperation with other governmental agencies. a. The state division of housing and community renewal and any rent guidelines board may request and shall receive cooperation and assistance in effectuating the purposes of this act from all departments, divisions, boards, bureaus, commissions or agencies of the state and political subdivisions thereof.

b. Notwithstanding any other provision of law to the contrary, local agencies shall immediately notify the state division of housing and community renewal in writing, on a form approved by the commissioner of the state division of housing and community renewal, that an application for an exemption under section four hundred twenty-one-a of the real property tax law has been approved. Such notification shall provide the beginning and end dates of such exemption.

§ 6. This act shall take effect on the sixtieth day after it shall have become a law; provided that the amendments to chapter 4 of title 26 of the administrative code of the city of New York made by sections one and two of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law; and provided, further, that the amendments to the emergency tenant protection act of nineteen seventy-four made by sections three, four and five 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.