STATE OF NEW YORK

9748

IN ASSEMBLY

February 5, 2018

Introduced by M. of A. D. ROSENTHAL -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to limiting the right of the New York city housing authority to transfer elderly and long-time residents from their housing accommodations

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

Section 1. Subdivision 6 of section 402 of the public housing law, as added by chapter 970 of the laws of 1968, is amended to read as follows:

6. In addition to all other powers granted by this chapter, the New York city housing authority shall have the power to act as and be and become a "developer", as that term is defined in subdivision nine of section four hundred fifty-two of the education law, of a combined occupancy structure, as defined in subdivision five of section four hundred fifty-two of such law, which consists of a project, as defined in this chapter, as well as of school accommodations or other facilities of the board of education of the city of New York, and to be and become an "owner", as that term is defined in subdivision fifteen-a of section four hundred fifty-two of the education law, of the non-school portion, consisting of a project as defined in this chapter, of such combined occupancy structure; and to do all things necessary or convenient to carry out such powers, including (a) construction of such combined occupancy structure as a developer pursuant to the provisions of this chapter and article ten of the education law, and conveyance or lease of the school portion thereof, and (b) as an owner, making and entering into contracts for acquisition, lease, sublease or other agreements for or with respect to the non-school portion, consisting of a project as defined in this chapter, pursuant to the provisions of article ten of the education law, and acquiring the same by transfer or conveyance to it of the fee title, or of possession under such lease, sublease or other agreement.

Notwithstanding any law to the contrary, any resident lease agreement entered into by the New York city housing authority, containing a "transfer to appropriate size apartment" provision, or such provision

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

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having substantially the same effect, shall not apply where a member of the household lawfully occupying the housing accommodation is sixty-two years of age or older, or has been a tenant in the housing accommodation in that building for twenty years or more.

§ 2. This act shall take effect immediately.