

# STATE OF NEW YORK

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2203

2019-2020 Regular Sessions

## IN SENATE

January 23, 2019

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Introduced by Sens. BAILEY, MAYER, SEPULVEDA -- 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 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:

1 Section 1. Paragraph 3 of subdivision d of section 6 of section 4 of  
2 chapter 576 of the laws of 1974, constituting the emergency tenant  
3 protection act of nineteen seventy-four, as amended by section 30 of  
4 part A of chapter 20 of the laws of 2015, is amended to read as follows:

5 (3) there has been since January first, nineteen hundred seventy-four  
6 a major capital improvement required for the operation, preservation or  
7 maintenance of the structure. An adjustment under this paragraph shall  
8 be in an amount sufficient to amortize the cost of the improvements  
9 pursuant to this paragraph over an eight-year period for a building with  
10 thirty-five or fewer housing accommodations, or a nine-year period for a  
11 building with more than thirty-five housing accommodations, for any  
12 determination issued by the division of housing and community renewal  
13 after the effective date of the rent act of 2015; provided that the  
14 collection of any increase in the legal regulated rent for any housing  
15 accommodation pursuant to this paragraph shall not exceed six percent in  
16 any year from the effective date of the order granting the increase over  
17 the legal regulated rent registered pursuant to section twelve-a of this  
18 act, with collectibility of any dollar excess above said sum to be  
19 spread forward in similar increments and added to the legal regulated  
20 rent as established or set in future years. In no event shall more than  
21 one six percent increase in the legal regulated rent pursuant to this  
22 paragraph be collected in the same year, or

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

LBD05505-01-9

1     § 2. This act shall take effect immediately; provided, however, that  
2 the amendment to section 4 of the emergency tenant protection act of  
3 nineteen seventy-four made by section one of this act shall expire on  
4 the same date as such act expires and shall not affect the expiration of  
5 such act as provided in section 17 of chapter 576 of the laws of 1974,  
6 as amended.