STATE OF NEW YORK

5357

2019-2020 Regular Sessions

IN SENATE

April 29, 2019

Introduced by Sen. COMRIE -- 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 the definition of "tenant" for purposes of mortgage foreclosures

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

Section 1. Paragraph (c) of subdivision 1 of section 1305 of the real property actions and proceedings law, as added by chapter 507 of the laws of 2009, is amended to read as follows:

(c) "Tenant" shall mean any person who [~~at the time the notice required by subdivision four of section thirteen hundred three of this article~~] appears as a lessee on a lease of one or more dwelling units of a residential real property that is subordinate to the mortgage on such residential real property; or who at such time is a party to an oral or implied rental agreement with the mortgagor and obligated to pay rent to the mortgagor or such mortgagor's representative, for the use or occupancy of one or more dwelling units of a residential real property.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law, and shall apply to actions commenced on or after such date.

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

LBD05591-01-9