

# STATE OF NEW YORK

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1921

2019-2020 Regular Sessions

## IN SENATE

January 17, 2019

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Introduced by Sens. KRUEGER, HOYLMAN, MONTGOMERY, RIVERA, SERRANO --  
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 seven-  
ty-four and the administrative code of the city of New York, in  
relation to certain housing accommodations by tenants over sixty-two  
years of age or tenants with a disability

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

1 Section 1. Paragraph 6 of subdivision a of section 5 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 chapter 403 of  
4 the laws of 1983, is amended to read as follows:

5 (6) housing accommodations owned or operated by a hospital, convent,  
6 monastery, asylum, public institution, or college or school dormitory or  
7 any institution operated exclusively for charitable or educational  
8 purposes on a non-profit basis other than those accommodations occupied  
9 by a tenant on the date such housing accommodation is acquired by any  
10 such institution, ~~[or]~~ which are occupied subsequently by a tenant who  
11 is not affiliated with such institution at the time of his initial occu-  
12 pancy, or where the housing accommodations are occupied by a non-affili-  
13 ated tenant who is sixty-two years of age or older or by a non-affiliat-  
14 ed tenant who suffers from a disability as defined in subdivision  
15 twenty-one of section two hundred ninety-two of the executive law;

16 § 2. Paragraph 10 of subdivision a of section 5 of section 4 of chap-  
17 ter 576 of the laws of 1974, constituting the emergency tenant  
18 protection act of nineteen seventy-four, is amended to read as follows:

19 (10) housing accommodations in buildings operated exclusively for  
20 charitable purposes on a non-profit basis, unless such housing accommo-  
21 dations are occupied by a tenant who is sixty-two years of age or older  
22 or by a non-affiliated tenant who suffers from a disability as defined

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

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1 in subdivision twenty-one of section two hundred ninety-two of the execu-  
2 tive law;

3 § 3. Subparagraph (b) of paragraph 2 of subdivision e of section  
4 26-403 of the administrative code of the city of New York is amended to  
5 read as follows:

6 (b) a hospital, convent, monastery, asylum, public institution, or  
7 college or school dormitory or any institution operated exclusively for  
8 charitable or educational purposes on a non-profit basis, unless such  
9 housing accommodations are occupied by a non-affiliated tenant who is  
10 sixty-two years of age or older or by a non-affiliated tenant who  
11 suffers from a disability as defined in subdivision twenty-one of  
12 section two hundred ninety-two of the executive law; or

13 § 4. Subparagraph (g) of paragraph 2 of subdivision e of section  
14 26-403 of the administrative code of the city of New York is amended to  
15 read as follows:

16 (g) Housing accommodations in buildings operated exclusively for char-  
17 itable purposes on a non-profit basis, unless such housing accommo-  
18 dations are occupied by a tenant who is sixty-two years of age or older  
19 or a tenant who suffers from a disability as defined in subdivision  
20 twenty-one of section two hundred ninety-two of the executive law; or

21 § 5. The opening paragraph of subparagraph c of paragraph 9 of subdivi-  
22 sion c of section 26-511 of the administrative code of the city of New  
23 York is amended to read as follows:

24 where the housing accommodation is owned by a hospital, convent,  
25 monastery, asylum, public institution, college, school dormitory or any  
26 institution operated exclusively for charitable or educational purposes  
27 on a non-profit basis, unless such housing accommodation is occupied by  
28 a tenant who is sixty-two years of age or older or a tenant who suffers  
29 from a disability as defined in subdivision twenty-one of section two  
30 hundred ninety-two of the executive law, and either:

31 § 6. Severability. If any provision of this act, or any application of  
32 any provision of this act, is held to be invalid, that shall not affect  
33 the validity or effectiveness of any other provision of this act, any  
34 other application of any provision of this act, or any other provision  
35 of any law or code amended by this act.

36 § 7. This act shall take effect on the sixtieth day after it shall  
37 have become a law; provided that:

38 (a) the amendments to subdivision a of section 5 of the emergency  
39 tenant protection act of nineteen seventy-four made by sections one and  
40 two of this act shall expire on the same date as such act expires and  
41 shall not affect the expiration of such act as provided in section 17 of  
42 chapter 576 of the laws of 1974;

43 (b) the amendments to section 26-403 of the city rent and rehabili-  
44 tation law made by sections three and four of this act shall remain in  
45 full force and effect only as long as the public emergency requiring the  
46 regulation and control of residential rents and evictions continues, as  
47 provided in subdivision 3 of section 1 of the local emergency housing  
48 rent control act; and

49 (c) the amendments to subparagraph c of paragraph 9 of subdivision c  
50 of section 26-511 of chapter 4 of title 26 of the administrative code of  
51 the city of New York made by section five of this act shall expire on  
52 the same date as such law expires and shall not affect the expiration of  
53 such law as provided under section 26-520 of such law.