

# STATE OF NEW YORK

6262--B

2021-2022 Regular Sessions

## IN ASSEMBLY

March 12, 2021

Introduced by M. of A. CYMBROWITZ, L. ROSENTHAL, EPSTEIN, O'DONNELL, BICHOTTE HERMELYN, DE LOS SANTOS, RAJKUMAR -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the multiple dwelling law, in relation to authorizing any dwelling with a certificate authorizing occupancy as a Class B hotel to also authorize occupancy of such units in such dwelling for permanent residence purposes

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

1 Section 1. Section 301 of the multiple dwelling law is amended by  
2 adding a new subdivision 7 to read as follows:

3 7. a. Any certificate by the department authorizing occupancy of a  
4 dwelling as a Class B hotel shall also authorize occupancy of units in  
5 such dwelling for permanent residence purposes notwithstanding any  
6 provision of this chapter or of any state law, local law, ordinance,  
7 resolution or regulation that would otherwise prohibit such occupancy,  
8 require a change or alteration to the dwelling, or require a new or  
9 amended certificate, provided that: (1) such occupancy for permanent  
10 residence purposes shall be subject to the approval of the local housing  
11 agency in its discretion; (2) a portion of such dwelling shall be  
12 located within a district that under the local zoning regulations or  
13 ordinances permits residential uses or within four hundred feet of such  
14 a district, and such dwelling shall not be located in an industrial  
15 business zone established pursuant to chapter six-D of title twenty-two  
16 of the administrative code of the city of New York; (3) in the case of a  
17 property at which any hotel workers are represented by a collective  
18 bargaining representative, prior to the proposed conversion of such

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

LBD09856-11-2

1 property to occupancy for permanent residence purposes, the collective  
2 bargaining representative shall be notified in writing of the proposed  
3 conversion, and the property owner shall certify prior to the local  
4 housing agency approving such occupancy that the collective bargaining  
5 representative has mutually agreed in a separate writing with the prop-  
6 erty owner to undertake the specific conversion described in the written  
7 notice; and (4) such dwelling shall meet the conditions in paragraph b  
8 of this subdivision. Alterations to the configuration of any such units  
9 shall be permitted and shall comply with any applicable requirements of  
10 any state law, local law, ordinance, resolution or regulation relating  
11 to Class B hotels. If occupancy for permanent residence purposes is  
12 authorized under the provisions of this subdivision within a district  
13 where the local zoning regulations or ordinances would not otherwise  
14 permit such use, the residential tenants shall be notified of the  
15 district's zoning.

16 b. Occupancy of units in a dwelling shall not be authorized under the  
17 provisions of paragraph a of this subdivision unless such units are (1)  
18 financed by the state pursuant to and in compliance with the provisions  
19 of article thirty-one of the private housing finance law; or (2)  
20 purchased, acquired, or financed by a local housing agency, for the  
21 purpose of creating supportive and/or affordable housing to be operated  
22 by an appropriate nonprofit organization pursuant to a regulatory agree-  
23 ment or contract with such local agency for low-income households or  
24 people experiencing homelessness immediately prior to entering such  
25 housing, where tenants shall earn no more than sixty percent of the area  
26 median income and all units are rent stabilized and subject to permanent  
27 affordability restrictions. For purposes of this paragraph, "appropriate  
28 nonprofit organization", "affordable housing", "experiencing homeless-  
29 ness", "rent stabilized", and "permanent affordability restrictions"  
30 shall have the same meaning as defined in article thirty-one of the  
31 private housing finance law.

32 § 2. This act shall take effect immediately.