

# STATE OF NEW YORK

10623

## IN ASSEMBLY

July 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. L. Rosenthal) -- read once and referred to the Committee on Housing

AN ACT to amend the administrative code of the city of New York, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to requiring the replacement of certain rent stabilized housing accommodations

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

1 Section 1. Section 4 of chapter 274 of the laws of 1946, constituting  
2 the emergency housing rent control law, is amended by adding a new  
3 subdivision 2-c to read as follows:

4 2-c. Notwithstanding any provision of law to the contrary, where a  
5 housing accommodation subject to the provisions of this act is lost or  
6 destroyed due to fire, natural disaster, act of God, act of war or  
7 eminent domain, such housing accommodation shall be replaced in any  
8 succeeding construction on the same parcel. Such replacement housing  
9 accommodation shall be substantially similar to the lost housing accom-  
10 modation and shall be subject to the provisions of this act with a maxi-  
11 mum rent that is equal to the maximum rent of the lost housing accommo-  
12 dation.

13 § 2. Section 5 of section 4 of chapter 576 of the laws of 1974,  
14 constituting the emergency tenant protection act of nineteen seventy-  
15 four, is amended by adding a new subdivision g to read as follows:

16 g. Notwithstanding any provision of law to the contrary, where a hous-  
17 ing accommodation subject to the provisions of this act is lost or  
18 destroyed due to fire, natural disaster, act of God, act of war or  
19 eminent domain, such housing accommodation shall be replaced in any  
20 succeeding construction on the same parcel. Such replacement housing  
21 accommodation shall be substantially similar to the lost housing accom-  
22 modation and shall be subject to the provisions of this act with an  
23 initial maximum rent that is equal to the maximum rent of the lost hous-  
24 ing accommodation.

25 § 3. The administrative code of the city of New York is amended by  
26 adding a new section 26-417 to read as follows:

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

LBD14571-01-2

1     § 26-417 Replacement of certain housing accommodations. Notwithstanding  
2 any provision of law to the contrary, where a housing accommodation  
3 subject to the provisions of this chapter is lost or destroyed due to  
4 fire, natural disaster, act of God, act of war or eminent domain, such  
5 housing accommodation shall be replaced in any succeeding construction  
6 on the same parcel. Such replacement housing accommodation shall be  
7 substantially similar to the lost housing accommodation and shall be  
8 subject to the provisions of this chapter with an initial maximum rent  
9 that is equal to the maximum rent of the lost housing accommodation.

10     § 4. The administrative code of the city of New York is amended by  
11 adding a new section 26-512.1 to read as follows:

12     § 26-512.1 Replacement of certain housing accommodations. Notwith-  
13 standing any provision of law to the contrary, where a housing accommo-  
14 dation subject to the provisions of this chapter is lost due to fire,  
15 natural disaster, act of God, act of war or eminent domain, such housing  
16 accommodation shall be replaced in any succeeding construction on the  
17 same parcel. Such replacement housing accommodation shall be substan-  
18 tially similar to the lost housing accommodation and shall be subject to  
19 the provisions of this chapter with a maximum rent that is equal to the  
20 maximum rent of the lost housing accommodation.

21     § 5. This act shall take effect on the ninetieth day after it shall  
22 have become a law; provided that the amendments to the city rent and  
23 rehabilitation law made by section three of this act shall remain in  
24 full force and effect only as long as the public emergency requiring the  
25 regulation and control of residential rents and evictions continues, as  
26 provided in subdivision 3 of section 1 of the local emergency housing  
27 rent control act; and provided further, that the amendments to chapter 4  
28 of title 26 of the administrative code of the city of New York made by  
29 section four of this act shall expire on the same date as such law  
30 expires and shall not affect the expiration of such law as provided  
31 under section 26-520 of such law.