STATE OF NEW YORK

4886

2021-2022 Regular Sessions

IN ASSEMBLY

February 8, 2021

Introduced by M. of A. DE LA ROSA, CRUZ, GRIFFIN -- read once and referred to the Committee on Aging

AN ACT to amend the administrative code of the city of New York, in relation to eligibility requirements for rent increase exemptions for persons with disabilities

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

Section 1. Subdivision d of section 26-601 of the administrative code of the city of New York, as amended by local law number 39 of the city of New York for the year 2014, is amended to read as follows:

d. "Eligible head of the household" means **(1)** a person or his or her spouse who is sixty-two years of age or older**,** or **(2) a person, his or her spouse or his or her child** who qualifies as a person with a disability pursuant to section 26-617 of this chapter and is entitled to the possession or to the use and occupancy of a dwelling unit, provided, however, that with respect to a dwelling which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended, "eligible head of the household" shall be limited to that person [~~or~~]**,** his or her spouse **or his or her child if such child qualifies as a person with a disability pursuant to section 26-617 of this chapter,** who was entitled to possession or the use and occupancy of such dwelling unit at the time of termination of such mortgage, and whose income when combined with the income of all other members of the household whose head of household is sixty-two years of age or older does not exceed twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, twenty-nine thousand dollars beginning July first, two thousand nine, and fifty thousand dollars beginning July first, two thousand fourteen

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

LBD08454-01-1

for the taxable period, or whose income for the current income tax year when combined with the income of all members of the household residing in the housing accommodation whose head of the household is a person with a disability does not exceed fifty thousand dollars beginning July first, two thousand fourteen.

§ 2. Subdivision d of section 26-601 of the administrative code of the city of New York, as separately amended by local law numbers 75 and 76 of the city of New York for the year 2005, is amended to read as follows:

d. "Eligible head of the household" means **(1)** a person or his or her spouse who is sixty-two years of age or older**,** or **(2) a person, his or her spouse or his or her child** who qualifies as a person with a disability pursuant to section 26-617 of this chapter and is entitled to the possession or to the use and occupancy of a dwelling unit, provided, however, that with respect to a dwelling which was subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended, "eligible head of the household" shall be limited to that person [~~or~~]**,** his or her spouse **or his or her child if such child qualifies as a person with a disability pursuant to section 26-617 of this chapter,** who was entitled to possession or the use and occupancy of such dwelling unit at the time of termination of such mortgage, and whose income when combined with the income of all other members of the household whose head of household is sixty-two years of age or older does not exceed twenty-five thousand dollars beginning July first, two thousand five, twenty-six thousand dollars beginning July first, two thousand six, twenty-seven thousand dollars beginning July first, two thousand seven, twenty-eight thousand dollars beginning July first, two thousand eight, and twenty-nine thousand dollars beginning July first, two thousand nine, for the taxable period, or whose income for the current income tax year when combined with the income of all members of the household residing in the housing accommodation whose head of the household is a person with a disability does not exceed the maximum income above which such head of the household would not be eligible to receive cash supplemental security income benefits under federal law during such tax year.

§ 3. This act shall take effect immediately, provided that the amendments to subdivision d of section 26-601 of the administrative code of the city of New York made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 5 of local law number 19 of the city of New York for the year 2014, as amended when upon such date the provisions of section two of this act shall take effect.