STATE OF NEW YORK

8071

2023-2024 Regular Sessions

IN ASSEMBLY

September 27, 2023

Introduced by M. of A. FORREST -- read once and referred to the Committee on Housing

AN ACT to amend the public housing law, in relation to succession rights for rent stabilized housing

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

Section 1. Paragraph (a) of subdivision 4 of section 14 of the public housing law, as added by chapter 116 of the laws of 1997, is amended to read as follows:

(a) that unless otherwise prohibited by occupancy restrictions based upon income limitations pursuant to federal, state or local law, regulations or other requirements of governmental agencies, any member of the tenant's family, as defined in paragraph (c) of this subdivision, shall succeed to the rights of a tenant under such acts and laws where the tenant has permanently vacated the housing accommodation and such family member has resided with the tenant in the housing accommodation as a primary residence for a period of no less than [~~two years~~] **one year**, or where such person is a "senior citizen" or a "disabled person," as defined in paragraph (c) of this subdivision, for a period of no less than one year, immediately prior to the permanent vacating of the housing accommodation by the tenant, or from the inception of the tenancy or commencement of the relationship, if for less than such periods. The minimum periods of required residency set forth in this subdivision shall not be deemed to be interrupted by any period during which the "family member" temporarily relocates because he or she:

(i) is engaged in active military duty;

(ii) is enrolled as a full time student;

(iii) is not in residence at the housing accommodation pursuant to a court order not involving any term or provision of the lease, and not involving any grounds specified in the real property actions and proceedings law;

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

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(iv) is engaged in employment requiring temporary relocation from the housing accommodation;

(v) is hospitalized for medical treatment; or

(vi) has such other reasonable grounds that shall be determined by the commissioner upon application by such person.

§ 2. This act shall take effect immediately.