STATE OF NEW YORK

5262

2023-2024 Regular Sessions

IN SENATE

February 28, 2023

Introduced by Sen. SANDERS -- 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 administrative code of the city of New York, in relation to providing for retroactive benefit calculation for the senior citizens rent increase exemption and disability rent increase exemption

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

Section 1. Section 26-605 of the administrative code of the city of New York is amended by adding a new subdivision (c-1) to read as follows:

(c-1) For any eligible head of household who submits an application for a rent increase exemption order pursuant to subdivision (a) or (b) of this section, the date of such application shall be deemed to be (i) the date of the applicant's initial eligibility for a rent increase exemption order, if the actual date of submission of the application is two years or less after such date of initial eligibility, or (ii) the date which is two years prior to the actual date of the submission of the application, if such application is submitted more than two years after the applicant's date of initial eligibility for a rent increase exemption order, and the calculation of such rent increase exemption, prospectively, shall be based upon the applicant's initial date of eligibility and not upon the date of such application, provided, however, that the provisions of this subdivision shall only apply to the calculation of benefits and no prior rental payments attributable to any rent increase prior to the date of application shall be subject to recoupment.

§ 2. This act shall take effect immediately.

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

LBD05704-01-3