

STATE OF NEW YORK

711

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

Introduced by Sen. CLEARE -- 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 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:

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

4 d. "Eligible head of the household" means (1) a person or his or her
5 spouse who is sixty-two years of age or older, or (2) a person, his or
6 her spouse or his or her child who qualifies as a person with a disabili-
7 ty pursuant to section 26-617 of this chapter and is entitled to the
8 possession or to the use and occupancy of a dwelling unit, provided,
9 however, that with respect to a dwelling which was subject to a mortgage
10 insured or initially insured by the federal government pursuant to
11 section two hundred thirteen of the national housing act, as amended,
12 "eligible head of the household" shall be limited to that person ~~[or]~~,
13 his or her spouse or his or her child if such child qualifies as a
14 person with a disability pursuant to section 26-617 of this chapter, who
15 was entitled to possession or the use and occupancy of such dwelling
16 unit at the time of termination of such mortgage, and whose income when
17 combined with the income of all other members of the household whose
18 head of household is sixty-two years of age or older does not exceed
19 twenty-five thousand dollars beginning July first, two thousand five,
20 twenty-six thousand dollars beginning July first, two thousand six,
21 twenty-seven thousand dollars beginning July first, two thousand seven,
22 twenty-eight thousand dollars beginning July first, two thousand eight,
23 twenty-nine thousand dollars beginning July first, two thousand nine,

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

LBD03626-01-3

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

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

11 d. "Eligible head of the household" means (1) a person or his or her
12 spouse who is sixty-two years of age or older, or (2) a person, his or
13 her spouse or his or her child who qualifies as a person with a disabili-
14 ty pursuant to section 26-617 of this chapter and is entitled to the
15 possession or to the use and occupancy of a dwelling unit, provided,
16 however, that with respect to a dwelling which was subject to a mortgage
17 insured or initially insured by the federal government pursuant to
18 section two hundred thirteen of the national housing act, as amended,
19 "eligible head of the household" shall be limited to that person ~~or~~,
20 his or her spouse or his or her child if such child qualifies as a
21 person with a disability pursuant to section 26-617 of this chapter, who
22 was entitled to possession or the use and occupancy of such dwelling
23 unit at the time of termination of such mortgage, and whose income when
24 combined with the income of all other members of the household whose
25 head of household is sixty-two years of age or older does not exceed
26 twenty-five thousand dollars beginning July first, two thousand five,
27 twenty-six thousand dollars beginning July first, two thousand six,
28 twenty-seven thousand dollars beginning July first, two thousand seven,
29 twenty-eight thousand dollars beginning July first, two thousand eight,
30 and twenty-nine thousand dollars beginning July first, two thousand
31 nine, for the taxable period, or whose income for the current income tax
32 year when combined with the income of all members of the household
33 residing in the housing accommodation whose head of the household is a
34 person with a disability does not exceed the maximum income above which
35 such head of the household would not be eligible to receive cash supple-
36 mental security income benefits under federal law during such tax year.

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