



Legislation Details (With Text)

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Sponsors: Julissa Ferreras-Copeland, Corey D. Johnson, Andy L. King, Rosie Mendez, Deborah L. Rose, Karen Koslowitz, Ydanis A. Rodriguez, Helen K. Rosenthal, Costa G. Constantinides
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Int. No. 375

By Council Members Ferreras-Copeland, Johnson, King, Mendez, Rose, Koslowitz, Rodriguez, Rosenthal and Constantinides

A Local Law to amend the administrative code of the city of New York, in relation to the right of senior citizens residing in multiple dwellings to maintain pets.

Be it enacted by the Council as follows:

Section 1. Legislative intent. The City Council finds that companionship from household pets can have a beneficial impact on the physical and mental health of pet owners. Studies have demonstrated that senior citizens with pets live longer, visit the doctor less often, cope better with stressful life situations such as the loss of a spouse, and recover more quickly from illnesses. There exists a significant public interest and purpose in preserving and enhancing the quality of life of the City’s senior citizens. Such citizens should not be compelled to choose between remaining in their homes and having the benefit of pet companionship. The City continues to experience an affordable housing crisis and the shortage of such housing offers senior citizens, many with limited incomes, few options if they are forced to leave their homes due to their need for pet companionship.

Eviction of senior citizens from multiple dwellings or the failure to grant housing due to pet ownership is harmful to the public welfare.

§ 2. Article 1 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2009.2 to read as follows:

§ 27-2009.2 Right of senior citizens to maintain pets in multiple dwellings. a. Notwithstanding the provisions of any lease, rental agreement or contract to the contrary, or any other applicable provision of law, no person who is sixty-two years old or older or who will attain such age during the term of such lease, rental agreement or contract, shall be denied occupancy in a dwelling unit in a multiple dwelling or be subject to eviction from such a dwelling unit solely on the ground that such person owns or maintains a household pet, of a type or species the harboring of which is not prohibited by this code, the multiple dwelling law or any other applicable law, where the keeping of such pet has been recommended for such person by a health care professional such as, but not limited to, a physician, physician assistant, nurse practitioner, mental health practitioner, licensed master social worker or clinical social worker.

b. An owner of a multiple dwelling may require a person who intends to maintain a pet pursuant to this section to furnish a copy of a health care professional's recommendation issued pursuant to subdivision a of this section, provided, however, that failure to furnish such documentation to an owner may not be a ground for eviction or removal of a pet unless such owner has first made a written demand for such documentation and allowed at least fifteen days for compliance.

c. The provisions of this section shall not apply where the maintenance of a pet causes damage to the subject premises, creates a nuisance or interferes substantially with the health, safety or welfare of other lawful occupants of the multiple dwelling, provided, however, that before being subject to eviction on any of these grounds, a person who maintains a pet pursuant to this section shall be given an opportunity, within thirty days of a written demand by the owner of the multiple dwelling, to repair such damage or abate such nuisance or interference with the health, safety or welfare of other lawful occupants.

§ 3. This local law shall take effect immediately.

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Int. 0751-2008
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