



Legislation Text

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Int. No. 622

By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Cabán, Avilés, Restler, Hudson and Banks (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to injunctive relief for lawful occupants of rental units

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 27-2120 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

b. Any tenant, or person or group of persons lawfully entitled to occupancy may individually or jointly apply to the housing part of the civil court for an order restraining the owner of the property from engaging in harassment. The housing part of the civil court may not deny an application for relief, including restoration of possession, on the basis that the person applying for such relief is not a tenant so long as such person is lawfully entitled to occupancy, or on the basis that the court deems restoration futile because the person applying for such relief would be subject to a meritorious claim of possession against them in a proceeding under article 7 of the real property actions and proceedings law, as long as no such judgment of possession has actually yet been granted. Except for an order on consent, such order may be granted upon or subsequent to a determination that a violation of subdivision d of section 27-2005 of this chapter has occurred.

§ 2. This local law takes effect immediately.

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