



Legislation Text

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Int. No. 2147

By Council Members Brannan, Cabrera, Kallos, Rosenthal and Adams

A Local Law to amend the administrative code of the city of New York, in relation to the right of individuals over the age of 62 residing in multiple dwellings to maintain pets

Be it enacted by the Council as follows:

Section 1. 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 27-2009.3 to read as follows:

§ 27-2009.3 Right of individuals over the age of 62 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 62 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 15 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 30 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.

§ 2. This local law takes effect immediately.

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