State of New York

DEC 17 2012

Department of State
Secretary of State

State of New York

Executive Chamber

No. 86

EXECUTIVE ORDER

TEMPORARY SUSPENSION OF REAL PROPERTY ACTIONS AND PROCEEDINGS LAW DURING THE STATE DISASTER EMERGENCY

WHEREAS, on October 26, 2012, I issued Executive Order Number 47, declaring a disaster emergency in all 62 counties in the State of New York; and

WHEREAS, on October 30, 2012, the President issued a major disaster declaration for the counties of Bronx, Kings, Nassau, New York, Queens, Richmond and Suffolk; and

WHEREAS, Hurricane Sandy caused major damage to and destroyed hundreds of homes in the impacted areas, resulting in the displacement of thousands of residents; and

WHEREAS, on November 14, 2012, the Federal Emergency Management Agency ("FEMA") approved the Temporary Sheltering Assistance program for 30 days for the affected residents and provided them with lodging in local hotels through FEMA's corporate contractor;

WHEREAS, on December 13, 2012, FEMA approved an extension of the program for an additional 28 days; and

WHEREAS, full compliance with certain statutory and regulatory requirements may impede the ability of the FEMA to continue to furnish such services;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster emergency, hereby temporarily modify, for the period starting on December 14, 2012, until further notice, the following:

Section 711 of the Real Property Actions and Proceedings Law, Section 232-a of the Real Property Law, and subdivisions 8 and 9 of Section 4 of the Multiple Dwelling Law, to the extent that they would create a landlord-tenant relationship between and among the individuals who have been provided housing under the Temporary Sheltering Assistance program for more than 30 days and/or FEMA, FEMA's corporate contractor, and hotel owners.

GIVEN under my hand and the Privy Seal of the State in the City of Albany this seventeenth day of December in the year two thousand twelve.

BY THE GOVERNOR

Secretary to the Governor