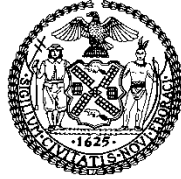


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**THE COUNCIL**

**Committee Report of the Infrastructure Division**

Matt Gewolb, Legislative Director  
Jeff Baker, Deputy Director, Infrastructure Division

**COMMITTEE ON HOUSING AND BUILDINGS**

Jumaane D. Williams, Chair

**October 29, 2014**

**INT. NO. 222:**

By Council Members Mendez, the Public Advocate (Ms. James), Barron, Chin, Gibson, Johnson, Koslowitz, Rosenthal and Rodriguez (by request of the Manhattan Borough President)

**TITLE:**

A Local Law to amend the administrative code of the city of New York, in relation to amending the obligations of owners to provide notice to their tenants for non-emergency repairs.

**ADMINISTRATIVE CODE:**

Adds a new subdivision e to section 27-2005.

**INT. NO. 289:**

By Council Members Cumbo, Williams, Deutsch, Chin, Cornegy, Eugene, Gibson, Koo, Levine, Reynoso, Rose, Treyger, Menchaca, Rosenthal and Rodriguez

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the provision of housing applications in multiple languages by the department of housing preservation and development.

**ADMINISTRATIVE CODE:** Adds a new section 27-2095.1

**PROPOSED INT. NO. 433-A:** By Council Members Cohen, Arroyo, Barron, Constantinides, Dickens, Eugene, Koo, Mendez and Rodriguez

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the installation of safety covers on electrical outlets in public areas of certain multiple dwellings.

**ADMINISTRATIVE CODE:** Adds a new section 27-2046.3

### **Introduction**

On October 29, 2014, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing to consider Int. No. 22, Int. No. 289, and Proposed Int. No. 433-A. The Committee expects to receive testimony from representatives of the Department of Housing Preservation and Development (HPD), the Department of Buildings (DOB), housing advocates, legal service providers, members of the real estate industry, and other interested members of the public.

### **Int. No. 222**

Currently, in New York City, HPD rules require owners of multiple dwellings to provide tenants with one weeks' notice before entering the tenant's apartment to make repairs.<sup>1</sup> However, owners may make repairs resulting in temporary interruptions in building services, affecting all tenants, without informing tenants. Int. No. 222 would require landlords to provide occupants

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<sup>1</sup> 28 RCNY 25-101.

with 72 hours' notice prior to performing work which would cause an interruption in services. The notice would have to be posted in a prominent place in the building and placed under the door of each dwelling unit. The notice would also have to state the type of work being performed and the estimated start and end date of the service interruption. Work performed on an emergency basis and work performed by HPD would be exempt from the notice requirement. This bill would also require HPD to publish rules regarding what constitutes an emergency basis.

Section one of Int. No. 222 would add a new subdivision e to section 27-2005 of the Administrative Code of the City of New York (the Code). Section 27-2005 outlines the duties of owners of residential property. New paragraph i of new subdivision e would require building owners to provide all legal occupants with at least 72 hours' notice before making repairs or performing other work which would cause an interruption in services. This subdivision would require that the notice be posted in a prominent place within the public part of the building and placed under the door of each dwelling unit. It would also require the notice to include the type of work being performed and the estimated start and end dates of the service interruption.

New paragraph ii of new subdivision e would exempt from the notice requirement repairs or work performed on an emergency basis and requires HPD to determine by rule what constitutes an emergency basis. It would also exempt repairs or work performed by HPD from the notice requirement.

Section two of this legislation contains the enactment clause and provides that this local law take effect ninety days after its enactment, except that HPD may take measures necessary for its implementation (e.g. promulgate rules) before the effective date.

### **Int. No. 289**

Half of all New Yorkers are primarily non-English speakers<sup>2</sup> and this can make it difficult to access City services. Title 8 of the Code requires certain agencies to provide materials in languages other than English, but HPD is not subject to this requirement.<sup>3</sup> This bill would require HPD to make all applications and corresponding instruction materials available in English, Arabic, Chinese, Haitian Creole, Korean, Russian and Spanish and allow HPD to use additional languages at its discretion. It would also require HPD to provide a notice, listing all the languages in which applications are available, with all application forms, on HPD's website, and in areas of HPD offices that are open to the public.

Section one of Int. No. 289 would add a new section 27-2095.1, entitled "Application forms; languages required" to the Code. New subdivision a of new section 27-2095.1 would set forth applicable definitions. New subdivision b would require HPD to make all application forms available in English, Arabic, Chinese, Haitian Creole, Korean, Russian and Spanish and new subdivision c would allow HPD to make applications available in additional languages. New subdivision d would require HPD to include a notice in all application forms listing the languages in which the application is available. The notice would have to be written in fourteen-point or larger font size and in all languages in which application forms are provided. New subdivision e would require HPD to prominently display on both its website and in portions of HPD offices that are open to the public, a notice listing the languages in which applications are available.

Section two of this legislation contains the enactment clause and provides that this local law take effect one hundred twenty days after its enactment, except that the commissioner of

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<sup>2</sup> Nyc.gov, Population Facts, [http://www.nyc.gov/html/dcp/html/census/pop\\_facts.shtml](http://www.nyc.gov/html/dcp/html/census/pop_facts.shtml) (last visited 10/16/14).

<sup>3</sup> See N.Y. City Admin Code § 8-1002(a) and (p).

HPD may take measures necessary for its implementation (e.g. promulgate rules) before the effective date.

### **Proposed Int. No. 433-A**

In the United States, every day approximately seven children are treated in hospital emergency rooms for injuries caused by tampering with a wall outlet.<sup>4</sup> This bill would require the owners of multiple dwellings to install and maintain protective devices over electrical outlets in common areas of the building that are accessible by children or pets. Failure to install or maintain these protective devices would result in a class B hazardous violation. HPD, DOB, the Fire Department, and the Department of Health and Mental Hygiene would all be required to enforce this bill.

Section one of Proposed Int. No. 433-A would add a new section 27-2046.3, entitled “Safety covers for certain electrical outlets” to the Code. New subdivision a of new section 27-2046.3 would require owners of multiple dwelling to install and maintain protective caps, covers or other obstruction devices over electrical outlets that are accessible by children or pets in public areas of the multiple dwelling. New subdivision b states that an owner who fails to comply with the provisions of new subdivision a would be liable for a class B hazardous violation. New subdivision c would allow new subdivisions a and b to be enforced by HPD, DOB, the fire department, and the department of health and mental hygiene.

Section two of this legislation contains the enactment clause and provides that this local law take effect immediately.

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<sup>4</sup> Esfi.org, Injury and Fatality Statistics, <http://www.esfi.org/index.cfm/page/Injury-and-Fatality-Statistics/pid/12015> (last visited 10/17/14).

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Int. No. 222

By Council Member Mendez, the Public Advocate (Ms. James), Barron, Chin, Gibson, Johnson, Koslowitz, Rosenthal and Rodriguez (by request of the Manhattan Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to amending the obligations of owners to provide notice to their tenants for non-emergency repairs.

Be it enacted by the Council as follows:

Section 1. Section 27-2005 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. (i) The owner of a dwelling shall provide legal occupants with at least seventy-two hours notice prior to making repairs or performing other work in a dwelling and within a particular dwelling unit which would cause an interruption in services. Such notice shall be posted in a prominent place within the public part of the building and shall be placed under the entrance doors of each dwelling unit. The notice shall state the type of work being performed and the estimated start and end of the service interruption.

(ii) The provisions of this section shall not apply to repairs or work performed on an emergency basis. The department shall by rule determine what constitutes an emergency basis. Any repairs made pursuant to section 27-2125 of this code shall be exempt from the provisions of this subdivision.

§2. This local law shall take effect ninety days after its enactment, except that the department shall take such measures, including the promulgation of rules, as are necessary for its implementation prior to such effective date.

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Int. No. 289

By Council Members Cumbo, Williams, Deutsch, Chin, Cornegy, Eugene, Gibson, Koo, Levine, Reynoso, Rose, Treyger, Menchaca, Rosenthal and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to the provision of housing applications in multiple languages by the department of housing preservation and development.

Be it enacted by the Council as follows:

Section 1. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2095.1 to read as follows:

§ 27.2095.1 Application forms; languages required. a. For purposes of this section the following terms have the following meanings:

“Application form” means any application form or corresponding instruction materials that the department uses to select persons to whom it will provide services.

“Mandatory language” means English and any other language set forth in subdivision j of section 8-1002 of the administrative code of the city of New York.

“Optional language” means any language other than a mandatory language.

b. The department shall make all application forms available in all mandatory languages.

c. The department may make application forms available in any optional language.

d. The department shall provide a notice with all application forms that such application forms are available in all mandatory languages and any optional language used pursuant to subdivision c of this section. Such notice shall be written in fourteen-point or larger font size in all mandatory languages and any optional language in which application forms are provided pursuant to this section.

e. The department shall prominently display, on its website and in portions of its offices that are open to the public, notices that application forms are available in all mandatory

languages and any optional language in which application forms are provided pursuant to this section.

§ 2. This local law shall take effect one hundred twenty days after its enactment, except that the commissioner shall take any actions necessary, including the promulgation of rules, before its effective date.

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LS# 0999-2014  
4/24/2014

Proposed Int. No. 433-A

By Council Members Cohen, Arroyo, Barron, Constantinides, Dickens, Eugene, Koo, Mendez and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to the installation of safety covers on electrical outlets in public areas of certain multiple dwellings.

Be it enacted by the Council as follows:

Section 1. Article 11 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 27-2046.3 to read as follows:

§ 27-2046.3 Safety covers for certain electrical outlets required. a. The owner of a multiple dwelling shall install and maintain protective caps, covers or other obstruction devices over electrical outlets that are accessible by children or pets in public areas of such multiple dwelling.

b. An owner who fails to install or maintain protective caps, covers or other obstruction devices as required by subdivision a of this section is liable for a class B hazardous violation.

c. The provisions of this section may be enforced by the department, the department of buildings, the fire department and the department of health and mental hygiene.

§ 2. This local law shall take effect 120 days after its enactment except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

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