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**Committee on Housing and Buildings**

Hon. Robert E. Cornegy, Jr., Chair

**January 28, 2021**

**Preconsidered Int. No. 2204-A:** By Council Members D. Diaz, Lander, Cabrera, Barron and Adams

**Title:** A Local Law to amend local law number 49 for the year 2019, relating to establishing a demonstration program to facilitate the creation and alteration of habitable apartments in basements and cellars of certain one- and two-family dwellings, in relation to extending the time limit for filing construction documents for such program

**Introduction**

On January 28, 2021, the Committee on Housing and Buildings, chaired by Council Member Robert Cornegy, Jr., held a hearing on Preconsidered Int. No. 2204-A. The original bill was first heard on January 19, 2021. More information about this bill, along with the materials for that hearing, can be found at <https://on.nyc.gov/2MoQ8Sj>.

**Preconsidered Int. No. 2204-A**

Local Law number 49 for the year 2019 established the City’s basement legalization pilot program. This program, which is administered by the Department of Housing Preservation and Development, creates a path for certain homeowners to legally convert their basement or cellar into a safe and rentable dwelling unit. Pursuant to the Local Law, applicants for participation in the program were required to submit completed construction documents to the Department of Buildings (“DOB”) within 18 months of the law going into effect, a deadline which expired on January 2, 2021. However, the COVID-19 crisis resulted in significant delays, making compliance with this deadline difficult for many applicants and also impacting the ability of DOB to conduct necessary inspections. To provide additional time for applicants to submit the required documents, Preconsidered Int. No. 2204-A would amend Local Law 49 for the year 2019 to extend the submission deadline by six months.

This bill would take effect immediately and be retroactive to January 1, 2021.

**Update**

On Thursday, January 28, 2021, the Committee adopted Preconsidered Int. No. 2204-A by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

Preconsidered Int. No. 2204-A

By Council Members D. Diaz, Lander, Cabrera, Barron and Adams

..Title

A Local Law to amend local law number 49 for the year 2019, relating to establishing a demonstration program to facilitate the creation and alteration of habitable apartments in basements and cellars of certain one- and two-family dwellings, in relation to extending the time limit for filing construction documents for such program

..Body

Be it enacted by the Council as follows:

Section 1. Sections 10, 16 and 17 of local law number 49 for the year 2019 are amended to read as follows:

§ 10. Time limit for filing of construction documents. Completed construction documents pursuant to this local law shall be filed with the department of buildings [within 18 months from the effective date of this local law] no later than 6 months after the date of enactment of the local law that last amended this section subject to the provisions of articles 104 and 105 of chapter 1 of title 28 of the administrative code of the city of New York pertaining to time limitation of applications and expiration of permits.

§ 16. Report. No later than [48] 30 months after the date [this local law takes effect] completed construction documents must be filed with the department of buildings pursuant to section ten of this local law, an agency appointed by the mayor shall submit to the mayor and the speaker of the city council a report summarizing the impact of the demonstration program established by section two of this local law.

§ 17. This local law takes effect 120 days after it becomes law, provided that the provisions of paragraph 2 of subdivision a of section six of this local law and sections eight and nine of this local law shall not apply to any building in the program area for which a complete application for construction document approval is filed more than [18] 6 months after the date [this local law takes effect] of enactment of the local law that last amended this section.

§ 2. This local law takes effect immediately and shall be retroactive to and shall be deemed to be in full force and effect on and after January 1, 2021.

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