Staff: Committee on Housing & Buildings

Audrey Son, Counsel

Genan Zilkha, Counsel

Jose Conde, Senior Policy Analyst

Charles Kim, Policy Analyst

Luke Zangerle, Financial Analyst



**The New York City Council**

Jeffrey Baker, Legislative Director

**Committee Report of the Infrastructure Division**

Terzah Nasser, Deputy Director, Infrastructure Division

**Committee on Housing and Buildings**

Hon. Robert E. Cornegy, Jr., Chair

**September 23, 2021**

**Preconsidered Int. No. 2403 :** By Council Member Lander

**Title:** A Local Law in relation to extending the certification of no harassment pilot

**Introduction**

On September 23, 2021, the Committee on Housing and Buildings, chaired by Council Member Robert Cornegy, Jr., will hold a hearing on Preconsidered Int. No. 2403. More information about this bill, along with the materials for that hearing, can be found at <https://tinyurl.com/r74st6uf>.

**Background**

Local Law number 1 for the year 2018 established the City’s certification of no harassment (“CONH”) pilot program. This program, which is administered by the Department of Housing Preservation and Development (“HPD”), requires certain buildings to apply for a CONH Robtaining DOB approval of permits or of other construction documents for certain covered work. Any building in the City where there has been a final determination of harassment by New York State Homes and Community renewal (“HCR”) or any court with jurisdiction five years prior to the enactment date is automatically denied a CONH should they apply for a permit with DOB. Buildings where a full vacate order has been issued and buildings where there has been active participation in the alternative enforcement program (“AEP”) are required to apply for the CONH for covered work. In districts that have undergone city-sponsored neighborhood-wide rezonings and community districts that indicate significant distress based on numerous factors, including changes of ownerships, certain buildings that meet a Building Qualification Index (“BQI”) are also required to apply for the CONH for covered work. If harassment is found after an investigation by HPD and community groups, where designated by HPD, the owner must provide for affordable housing. Local Law number 1 for the year 2018 is set to expire on September 27, 2021.

**Preconsidered Int. No. 2403**

This bill would extend the original CONH pilot program through October 31, 2021.

This bill would take effect immediately and would be deemed repealed on October 31, 2021.

[THIS PAGE INTENTIONALLY LEFT BLANK]

Preconsidered Int. No. 2403

By Council Member Lander

A LOCAL LAW

In relation to extending the certification of no harassment pilot

Be it enacted by the Council as follows:

Section 1. Section 5 of local law number 1 for the year 2018 is amended to read as follows:

§ 5. This local law takes effect 270 days after it becomes a law except that the departments of housing preservation and development and the department of buildings may promulgate rules or take other administrative action for the implementation of this local law prior to such date. This local law shall remain in effect [for 36 months] until October 31, 2021, after which date it is deemed repealed. Notwithstanding the repeal of this local law, the provisions of this local law shall remain in effect for any pilot program building which submits an application for construction document approval pursuant to section 28-505.4 of the administrative code of the city of New York, as added by section three of this local law, prior to the repeal of such section. This local law shall not apply to work relating to applications for construction document approval filed with the department of buildings prior to the inclusion of a building on the pilot program list pursuant to subdivision b of section 27-2093.1 of the administrative code of the city of New York, as added by section two of this local law.

§ 2. This local law shall take effect immediately and shall be retroactive to and be deemed to be in effect on and after September 27, 2021.

LS 18139

9/13/21