



## Legislation Details (With Text)

**File #:** Int 1359-2016 **Version:** A **Name:** Auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program.

**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Housing and Buildings

**On agenda:** 11/16/2016

**Enactment date:** 10/16/2017 **Enactment #:** 2017/193

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program

**Sponsors:** Stephen T. Levin, Jumaane D. Williams, Ydanis A. Rodriguez, Helen K. Rosenthal, Carlos Menchaca, Donovan J. Richards, Vincent J. Gentile, Margaret S. Chin, Andrew Cohen, Ben Kallos, The Public Advocate (Ms. James)

**Indexes:**

**Attachments:** 1. Legislative History Report, 2. Summary of Int. No. 1359, 3. Int. No. 1359, 4. November 16, 2016 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 11-16-16, 6. Committee Report 11/22/16, 7. Hearing Testimony 11/22/16, 8. Hearing Transcript 11/22/16, 9. Proposed Int. No. 1359-A - 9/20/17, 10. Committee Report 9/20/17, 11. Hearing Transcript 9/20/17, 12. Fiscal Impact Statement, 13. September 27, 2017 - Stated Meeting Agenda with Links to Files, 14. Hearing Transcript - Stated Meeting 9-27-17, 15. Mayor's Letter, 16. Local Law 193, 17. Minutes of the Stated Meeting - September 27, 2017

Date	Ver.	Action By	Action	Result
11/16/2016	*	City Council	Introduced by Council	
11/16/2016	*	City Council	Referred to Comm by Council	
11/22/2016	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/22/2016	*	Committee on Housing and Buildings	Laid Over by Committee	
11/22/2016	*	Committee on Finance	Hearing Held by Committee	
11/22/2016	*	Committee on Finance	Laid Over by Committee	
9/20/2017	*	Committee on Housing and Buildings	Hearing Held by Committee	
9/20/2017	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
9/20/2017	*	Committee on Housing and Buildings	Amended by Committee	
9/20/2017	A	Committee on Housing and Buildings	Approved by Committee	Pass
9/27/2017	A	City Council	Approved by Council	Pass
9/27/2017	A	City Council	Sent to Mayor by Council	
10/16/2017	A	Mayor	Hearing Held by Mayor	
10/16/2017	A	Mayor	Signed Into Law by Mayor	
10/17/2017	A	City Council	Recved from Mayor by Council	

Int. No. 1359-A

By Council Members Levin, Williams, Rodriguez, Rosenthal, Menchaca, Richards, Gentile, Chin, Cohen, Kallos and the Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to auditing buildings for compliance with the affordability requirements of the 421-a tax exemption program

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 15 to read as follows:

CHAPTER 15

AUDITS FOR COMPLIANCE WITH 421-A TAX EXEMPTION AFFORDABILITY REQUIREMENTS

§ 26-1501 Definitions.

§ 26-1502 Audits.

§ 26-1503 Results of audit.

§ 26-1501 Definitions. For the purposes of this chapter:

Affordability requirement. The term “affordability requirement” means any requirement that one or more dwelling units within a building receiving benefits under section 421-a of the real property tax law be occupied by or available for occupancy by individuals or families whose incomes at the time of initial occupancy do not exceed the applicable percentage under such law of the area median income for the primary metropolitan statistical area as determined by the United States department of housing and urban development or its successors from time to time for a family of four, as adjusted for family size.

Department. The term “department” means the department of housing preservation and development.

§ 26-1502 Audits. The department shall audit no fewer than 20 percent of all buildings that have completed construction and are receiving benefits under section 421-a of the real property tax law annually to determine whether the owners of such buildings are in compliance with all applicable 421-a affordability requirements.

§ 26-1503 Results of audit. Where an audit performed pursuant to section 26-1502 reveals that a

building owner is not in compliance with the applicable affordability requirements, the department shall take action to bring such building into compliance, which action may include, but need not be limited to, commencing tax exemption revocation proceedings.

§ 2. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-140 to read as follows:

§ 11-140 Report on revocations. Not less than quarterly, the department of finance shall report to the speaker of the council and to the mayor a plan and a timeline for revocation of benefits under section 421-a of the real property tax law for each designated building for which such department received, during the reporting period, a final notice of revocation of such benefits for noncompliance with applicable affordability requirements or applicable rent registration requirements from the department of housing preservation and development pursuant to chapters 15 and 16 of title 26 of the code.

§ 3. This local law takes effect one year after it becomes law, 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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