



Legislation Text

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Preconsidered Int. No. 39-A

By Council Members Hanif, Cabán, Narcisse, Fariás, Louis, Riley, Rivera, Schulman, Gutiérrez, Hudson, Salaam, Brannan, Marte, Joseph, Won, Sanchez, Gennaro, Hanks, Ossé, De La Rosa, Ayala, Nurse, Bottcher and Mealy

A Local Law to amend the administrative code of the city of New York, in relation to establishing a program to assist with door and window repair and security for survivors of domestic and gender-based violence

Be it enacted by the Council as follows:

Section 1. Subchapter 8 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-187 to read as follows:

§ 3-187 Personal safety and security resource program. a. Definitions. For purposes of this section, the following terms have the following meanings:

Community-based organization. The term “community-based organization” means a non-profit organization that provides services to survivors of domestic violence or gender-based violence regardless of language spoken, gender identity, sexual orientation, criminal history, or immigration status.

Designated organizations. The term “designated organizations” means the community-based organizations designated by the director, pursuant to subparagraph (a) of paragraph 2 of subdivision b of this section, to administer the program and supervise survivor advocates.

Director. The term “director” means the director of the office.

Door and window repair service. The term “door and window repair service” means the provision of new locks and keys and door, lock, and window repairs for an eligible household.

Dwelling. The term “dwelling” has the same meaning as set forth in section 4 of the multiple dwelling law.

Eligible household. The term “eligible household” means a household that meets the following criteria:

1. Includes a survivor of domestic violence or gender-based violence whose status is established by self-identification, documentation from an agency or community-based organization, or an order of a court of competent jurisdiction;

2. Such survivor is a resident of the city of New York; and

3. Any other criteria deemed appropriate by the director to further the purposes of the program, except that, to the extent allowed under applicable law, such criteria shall not relate to the consumer credit history, criminal history, or immigration status of such survivor or of any other member of such survivor’s household.

Owner. The term “owner” means the owner of a dwelling.

Personal emergency response system. The term “personal emergency response system” means a personal alarm system provided to a member of an eligible household that would allow such member to alert emergency services or a trusted contact to the need for assistance and that does not result in alteration of a dwelling or of the premises in which such dwelling is located.

Program. The term “program” means the program required by subdivision b of this section.

Program participant. The term “program participant” means an eligible household that a designated organization selects to participate in the program.

Support service. The term “support service” means a social service to which a survivor advocate refers a program participant during the program, including, but not limited to, counseling services, housing services, safety planning, and legal services.

Survivor. The term “survivor” means a person who has experienced or reported domestic violence or gender-based violence.

Survivor advocate. The term “survivor advocate” means a non-attorney advocate employed and supervised by a designated organization who provides information and support to a program participant in connection with a door and window repair service or a personal emergency response system, or who refers a

program participant to any support services.

b. Program established. 1. The office shall establish a trauma-informed program that provides referral to support services to eligible survivors, and where permitted by applicable law, may provide door and window repair service for the dwellings of such eligible survivors or a personal emergency response system, or both, for such survivors.

2. The director shall:

(a) Establish a list of qualified organizations to implement the program and designate no more than 5 such organizations to administer the program and supervise survivor advocates;

(b) Provide an application for such program, which shall be made available on the office's website;

(c) Refer program participants to supportive services; and

(d) In collaboration with designated organizations, coordinate with any such survivor, prioritizing the safety and privacy of such survivor, to notify the owner of such survivor's dwelling of the provision of new locks and keys and door, lock, and window repairs for an eligible household, which may include entering into a license agreement to gain access to such dwelling, including any premises in which such dwelling is located, for the purposes described herein. Such license agreement may include insurance, liability, or indemnity provisions.

3. The office, in coordination with a designated organization, must make a reasonable effort to ensure the following:

(a) Provision of any new locks and keys and door, lock, and window repairs made under the program may only be performed by a vendor licensed as required by local, state, or federal law. Provision of such new locks and keys and door, lock, and window repairs must be performed in compliance with applicable federal, state, and local laws, including, but not limited to, the installation of window gates specifically permitted under local law and regulations, and the limitations on or prohibitions against the installation of window gates or locks on egress windows, as provided in local law and regulations; and

(b) Prior to commencing door or window repair service under the program, such door or window repair service will not result in illegally locking out a lawful occupant of the dwelling.

4. The provision of services provided under the program shall be provided to eligible households as soon as possible after a determination of their eligibility for such program and, to the extent practicable, no later than 3 days after such determination.

c. Report. No later than 1 year after the office establishes the program required by subdivision b of this section, and annually thereafter, the director shall issue a report on such program to the mayor and speaker of the council and post such report on the office's website. The information in such report shall be anonymized and include, but need not be limited to, the following, to the extent such information is provided to the office:

1. The number of households participating in the program and the zip code of and primary language spoken in each such household;

2. Demographic information for all survivors participating in the program including, but not limited to, age, gender, race, and ethnicity;

3. The number of households participating in such program that received door and window repair services within: (i) 24 hours of a determination of eligibility; (ii) between 24 and 72 hours of such determination; and (iii) after 72 hours of such determination;

4. A description of the impact, if any, that the survivor advocates, door and window repair services, personal emergency response system, and support services had on the program participants;

5. A description of any challenges the office had in implementing such program and any efforts the office took to address such challenges; and

6. Any recommendations on how to improve the program.

d. Education and outreach. The office shall develop an outreach and education program to educate the public about the program. Materials used for such outreach and education program shall be available in all designated citywide languages, as defined in section 23-1101, temporary languages, as defined in section 23-

1105, and any additional languages as determined by the director in consultation with community-based organizations. The office shall distribute such materials to family justice centers, domestic violence shelters, facilities operated by the New York city health and hospitals corporation, and community-based organizations. The office shall also conduct community outreach and education efforts in high traffic areas including, but not limited to, transit hubs. Such materials shall also be made available on the office's website. Such materials shall include:

1. A detailed explanation of the program, including an indication that there is no cost to survivors associated with the program, and that immigration status does not need to be revealed;

2. Information on how the program will be implemented and instructions for how to apply or make an appointment; and

3. Any other information as determined by the director.

e. Privacy. No information that is required to be reported pursuant to subdivision c of this section shall be reported if doing so would violate any applicable provision of federal, state, or local law relating to the privacy, confidentiality, use, or disclosure of such information. If a category contains a number between 1 to 9 households, or allows another category to be narrowed to a number between 1 to 9 households, such number shall be replaced with a symbol. A category that contains zero shall be reported as zero.

f. Owner liability. Nothing in this section shall be construed to create a cause of action against an owner of a dwelling or door and window repair service provider.

§ 2. This local law takes effect immediately.

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