



Legislation Text

File #: Res 0075-2002, **Version:** *

Res. No. 75

Resolution calling upon the New York State legislature to extend the provisions of the "Loft Law" and to expand its application to provide for the legalization of lofts occupied for residential purposes for a period of twelve consecutive months between January 1, 2000 and December 31, 2001 and to enact A.05578A, A.05579 and A.05580B, or similar legislation, and any respective companion legislation.

By Council Members Yassky, Dilan, Quinn, Reyna; also Council Member Clarke

Whereas, On March 31, 2002, the state law commonly referred to as the Loft Law, legalizing certain lofts or interim multiple dwellings, will expire; and

Whereas, The State Legislature, once again, has an opportunity to both renew the current protections and to extend the rights and responsibilities of the Loft Law to additional lofts; and

Whereas, Originally enacted in 1982, the Loft Law, codified as Article 7-C of the Multiple Dwelling Law and entitled "Legalization of Interim Multiple Dwellings," requires landlords to bring certain manufacturing, commercial or warehouse buildings that have been used for residential purposes between April 1980 and December 1981 by three or more families living independently into compliance with state and city housing laws relating to health, safety, and fire protection; and

Whereas, The Loft Law allows these illegally converted lofts to be used for residential purposes and provides rent protection to tenants; and

Whereas, There were 560 lawfully recognized interim multiple dwelling buildings in the City as of January 15, 2002, according to the New York City Loft Board; and

Whereas, Housing advocates have estimated that approximately 10,000 tenants are protected by the Loft Law, most of whom reside in lower Manhattan, with smaller numbers in Brooklyn and Queens; and

Whereas, The Loft Law has been renewed periodically but these renewals have not allowed for the legalization of other lofts initially occupied after the early 1980's; and

Whereas, Over the last twenty years, partially in response to the surging need for housing, additional residential lofts have been created, albeit illegally, in vacant manufacturing space; and

Whereas, In June of 2001, the Department of City Planning, in coordination with the Fire Department of New York, identified a total of 131 buildings with illegal residential loft occupancy in Brooklyn alone, including the neighborhoods of "Down Under Manhattan Bridge,"

Williamsburg, East Williamsburg, Greenpoint and the area south of the Navy Yard; and

Whereas, The lawful process to legalize additional lofts used for residential purposes should be expanded and a number of bills have been introduced in the State Legislature to extend the expiration of the Loft Law and expand the number of lofts to which the Loft Law would apply; and

Whereas, Legislation such as A.05578A would protect tenants who reside in lofts from the interruption of essential services, like heat and hot water, which is a tactic sometimes used by landlords engaging in harassment; and

Whereas, Legislation such as A.05579 would extend the expiration date of the Loft Law to March 31, 2007, expand its provisions to allow for the initiation of tenant proceedings to legalize lofts under Article 7-A of the Real Property Actions and Proceedings Law and provide for additional financing mechanisms to facilitate this legalization; and

Whereas, A.05580B would expand the provisions of the Loft Law to cover certain lofts that were occupied for residential purposes for a period of twelve consecutive months between January 1, 2000 and December 31, 2001; now, therefore be it

Resolved, That the Council calls upon the New York State legislature to extend the provisions of the "Loft Law" and to expand its application to provide for the legalization of lofts occupied for residential purposes for a period of twelve consecutive months between January 1, 2000 and December 31, 2001 and to enact A.05578A, A.05579 and A.05580B, or similar legislation, and any respective companion legislation.

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