



## Legislation Text

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**File #:** Int 0963-2009, **Version:** \*

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Int. No. 963

By Council Members de Blasio, Brewer, Comrie, Fidler, Foster, Gennaro, Gonzalez, Koppell, Palma, Sanders Jr., Weprin, Garodnick, Nelson, Mitchell, Mark-Viverito, Liu, James, Mealy, Seabrook, Yassky, Ferreras, Vacca, Mendez, White Jr., Jackson, Baez, Katz, Dilan, Gentile, Sears, Vann, Gerson, Arroyo, Rivera, Lappin, Reyna and Vallone Jr.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting referrals of homeless persons to dwellings that fail to meet occupancy standards.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Department of Homeless Services (“DHS”) is responsible for assisting homeless adults with finding permanent housing as they exit the City’s shelter system. Media reports and reports from advocates document that DHS and its contract providers often refer single adults to small residential properties that are overcrowded and unsafe, and are being illegally used as boarding houses. Several dwellings to which DHS referred single adults were subsequently condemned or ordered vacated by the New York City Department of Buildings, the New York City Fire Department, or the Department of Housing Preservation and Development as a result of fire safety hazards or illegal occupancy. The Council finds that the DHS practice of sending homeless adults to such housing must end. This legislation would ensure that homeless adults no longer move from shelter to unsafe housing by prohibiting DHS from making referrals to dwellings that fail to meet occupancy standards.

§2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-309.1 to read as follows:

§21-309.1. Referrals to non-compliant dwellings prohibited.

The commissioner shall not refer homeless single adults to permanent housing that is provided in:

a. any dwelling that has an unresolved violation related to its certificate of occupancy, specifically: (i) an alteration or change in use or occupancy without issue of a certificate of occupancy or an amended certificate of occupancy; or (ii) occupancy contrary to that allowed by the certificate of occupancy or building department records; or (iii) a structure altered for occupancy as a dwelling for more than the legally approved number of families; or

b. any dwelling for which three or more violations have been issued within the two-year period immediately preceding the date a homeless single adult is referred to the dwelling that are related to: (i) an alteration or change in use or occupancy without issue of a certificate of occupancy or an amended certificate of occupancy; or (ii) occupancy contrary to that allowed by the certificate of occupancy or building department records; or (iii) a structure altered for occupancy as a dwelling for more than the legally approved number of families; or

c. any dwelling where occupancy by a homeless single adult would violate the certificate of occupancy.

§3. This local law shall take effect immediately.

LS 4027  
MRM 4.20.09  
12:00 p.m.