



Legislation Text

File #: Int 1279-2016, **Version:** *

Int. No. 1279

By Council Members Cohen, Kallos, Vacca and Salamanca

A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of lot line windows on residential property

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-723.5-to read as follows:

§ 20-723.5 Disclosure of windows situated on a lot line. a. A seller or lessor of any dwelling who advertises or causes to be advertised the sale or lease of a dwelling or space within such dwelling in a newspaper, magazine, circular, pamphlet, store display, online advertisement, letter, handbill or in any other form shall conspicuously include in such advertisement, in a form and manner determined by the department a notice that indicates the presence of any window that is situated on a lot line within such dwelling and describes the requirements associated with window situated on lot lines pursuant to table 705.8 of the New York city building code.

b. A seller or lessor of any dwelling who advertises or causes to be advertised the sale or lease of a dwelling or space within such dwelling in a newspaper, magazine, circular, pamphlet, store display, online advertisement, letter, handbill or in any other form and who must disclose the presence of a window situated on a lot line, pursuant to subdivision a of this section shall not advertise or cause to be advertised a space within such dwelling as a living room, if such space has no legally required window as such term is defined by the zoning resolution.

c. 1. A seller or lessor of any dwelling who offers such dwelling or space within such dwelling for sale

or lease shall, before accepting a purchase or rental offer for such dwelling or space, provide the prospective purchaser or lessee with a notice that indicates the presence of any window that is situated on a lot line within such dwelling or space and describes the requirements associated with windows situated on lot lines pursuant to table 705.8 of the New York city building code.

d. No charge or fee shall be imposed on such prospective purchaser or lessee for the provision of any information required by this section.

e. Violations. 1. A seller or lessor of any dwelling who violates any provision of this section shall be subject to a civil penalty equal to \$500.

2. Civil penalties under this section may be recovered by the department in an action in any court of appropriate jurisdiction or in a proceeding before the environmental control board. Such board shall have the power to impose civil penalties provided for in this section.

3. The civil penalties set forth in this section shall be indexed to inflation in a manner to be determined by rules promulgated by the department.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of consumer affairs may promulgate rules or take other actions for the implementation of this local law prior to such effective date.

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LS 6506/2015
5/24/16