



Legislation Text

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Int. No. 669-A

By The Speaker (Council Member Vallone) and Council Members Spigner, Michels, Berman, Robles, Eisland, Pinkett, Linares, McCaffrey, Quinn, Povman, Wooten, Sabini, Freed, Marshall, Rivera, Carrion, DiBrienza, Fisher, Foster, Rodriguez, Robinson, Perkins, Miller, Lasher, Harrison, Henry, Nelson, Moskowitz, Dear, Malave-Dilan, Espada, Reed, Warden, White, Cruz, Koslowitz, Boyland, Lopez and Provenzano.

A Local Law to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws with certain amendments to such laws and the rent control law.

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number 13 for the year 1997, is amended to read as follows:

§26-502 Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the City of New York and will continue to exist after April first, [nineteen hundred ninety-seven] two thousand and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§2. Section 26-504.2 of the administrative code of the city of New York, as amended by chapter 116 of the laws of 1997, is amended by lettering the existing section as subdivision a and by adding a new subdivision b to read as follows:

b. The owner of any housing accommodation that is not subject to this law pursuant to the provisions of subdivision a of this section or subparagraph k of paragraph 2 of subdivision e of section 26-403 of this code shall give written notice certified by such owner to the first tenant of that housing accommodation after such housing accommodation becomes exempt from the provisions of this law or the city rent and rehabilitation law. Such notice shall contain the last regulated rent, the reason that such housing accommodation is not subject to

this law or the city rent and rehabilitation law, a calculation of how either the rental amount charged when there is no lease or the rental amount provided for in the lease has been derived so as to reach two thousand dollars or more per month, a statement that the last legal regulated rent or the maximum rent may be verified by the tenant by contacting the state division of housing and community renewal, or any successor thereto, and the address and telephone number of such agency, or any successor thereto. Such notice shall be sent by certified mail within thirty days after the tenancy commences or after the signing of the lease by both parties, whichever occurs first or shall be delivered to the tenant at the signing of the lease. In addition, the owner shall send and certify to the tenant a copy of the registration statement for such housing accommodation filed with the state division of housing and community renewal indicating that such housing accommodation became exempt from the provisions of this law or the city rent and rehabilitation law, which form shall include the last regulated rent, and shall be sent to the tenant within thirty days after the tenancy commences or the filing of such registration, whichever occurs later.

§3. Subdivision d of section 26-513 of the administrative code of the city of New York, as amended by chapter 116 of the laws of 1997, is amended to read as follows:

d. Within thirty days after the local effective date of the emergency tenant protection act of nineteen seventy-four the owner of housing accommodations as to which an application for adjustment of the initial legal regulated rent may be made pursuant to subdivision b of this section shall give notice in writing by certified mail to the tenant of each such housing accommodation on a form prescribed by the commissioner of the initial legal regulated rent for such housing accommodation, the maximum rent at the time such housing accommodation became vacant and of such tenant's right to file an application for adjustment of the initial legal regulated rent of such housing accommodation.

§4. Section 26-520 of the administrative code of the city of New York, as amended by local law number 13 for the year 1997, is amended to read as follows:

§26-520 Expiration date. This chapter shall expire on April first, two thousand three unless rent control

shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§5. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§6. This local law shall take effect immediately, except that sections two and three shall take effect and shall apply to tenancies commencing thirty days after enactment of this local law.