



Legislation Text

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Int. No. 621

By Council Members Chin, Ferreras-Copeland, Espinal, Eugene, Gentile, Johnson, Koo, Mendez, Richards, Rose, Rosenthal, Kallos and Menchaca

A Local Law to amend the administrative code of the city of New York, in relation to providing tenants with information regarding the senior citizens rent increase exemption and the disability rent increase exemption.

Be it enacted by the Council as follows:

Section 1. Chapter three of title 26 of the administrative code of the city of New York is amended by adding a new section 26-416 to read as follows:

§ 26-416 Information concerning rent increase exemptions. a. For the purposes of this section the following terms shall have the following meanings:

1. “Department” shall mean the department of housing preservation and development.
2. “Dwelling unit” shall mean a dwelling unit as defined in paragraph thirteen of subdivision a of section 27-2004 of this code.
3. “Multiple dwelling” shall mean a dwelling as defined in paragraph seven of subdivision a of section 27-2004 of this code.
4. “Owner” shall mean an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of this code.

b. Every owner of a multiple dwelling shall deliver or cause to be delivered to each tenant of a dwelling unit subject to regulation under this chapter or prospective tenant of a dwelling unit subject to regulation under this chapter, along with a lease or lease renewal form, a notice regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax

law.

c. The department shall determine the form of the notice required by subdivision b of this section. Such notice shall include a list of eligibility requirements and a description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any owner who fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each dwelling unit subject to regulation under this chapter for which there was a failure to comply. Such civil penalty 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.

§2. Chapter four of title 26 of the administrative code of the city of New York is amended by adding a new section 26-509.1 to read as follows:

§ 26-509.1 Information concerning rent increase exemptions. a. For the purposes of this section the following terms shall have the following meanings:

1. “Department” shall mean the department of housing preservation and development.

2. “Dwelling unit” shall mean a dwelling unit as defined in paragraph thirteen of subdivision a of section 27-2004 of this code.

3. “Multiple dwelling” shall mean a dwelling as defined in paragraph seven of subdivision a of section 27-2004 of this code.

4. “Owner” shall mean an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of this code.

b. Every owner of a multiple dwelling shall deliver or cause to be delivered to each tenant of a dwelling units subject to regulation under the emergency tenant protection act or prospective tenant of a dwelling unit subject to regulation under the emergency tenant protection act, along with a lease or lease renewal form, a

notice regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

c. The department shall determine the form of the notice required by subdivision b of this section. Such notice shall include a list of eligibility requirements and a description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any owner who fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each dwelling unit subject to regulation under the emergency tenant protection act for which there was a failure to comply. Such civil penalty 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. Chapter seven of title 26 of the administrative code of the city of New York is amended by adding a new section 26-618 to read as follows:

§ 26-618 Information concerning rent increase exemptions. a. For the purposes of this section “covered dwelling unit” shall mean that part of a dwelling which is subject to the provisions of either article II, IV, V, or XI of the private housing finance law, or that part of a dwelling which was or continues to be subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended.

b. For each covered dwelling unit owned or operated by a housing company, such company shall deliver or cause to be delivered, along with a lease or lease renewal form, a notice to the tenant of such unit regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

c. The department of housing preservation and development shall determine the form of the notice required by subdivision b of this section. Such notice shall include a list of eligibility requirements and a

description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any housing company that fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each covered dwelling unit for which there was a failure to comply. Such civil penalty may be recovered by the department of housing preservation and development 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.

§4. This local law shall take effect 120 days after its enactment into law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

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