



Legislation Text

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Int. No. 2235

By Council Member Kallos

A Local Law to amend the administrative code of the city of New York, in relation to requiring limited liability business entities to disclose managers, officers and owners on applications for certificates of occupancy and permits from the department of buildings

Be it enacted by the Council as follows:

Section 1. Section 28-118.4.1 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

**28-118.4.1 Applicant.** The application for a certificate of occupancy shall be made by or on behalf of the owner of the building or open lot; and if made by a person other than the owner, the application shall be accompanied by a signed statement of the applicant stating that the applicant is authorized by the owner to make the application. [The] If the owner of the building or open lot is a natural person, the full names and addresses of the owner[,] and applicant[, and of the principal officers thereof, if a corporation,] shall be stated in the application. If the owner of the building or open lot is an entity other than a natural person, the name, physical address, e-mail address and telephone number of each manager and officer of such entity and of each person whose share of ownership of such entity exceeds five percent shall be stated in the application. Whenever an entity other than a natural person must be listed on the application under this section because it has a share of ownership that exceeds five percent, the name, physical address, e-mail address and telephone number of each manager and officer of such entity, and of each person whose share of ownership of such entity exceeds five percent shall also be stated in the application, such that all natural persons whose share of ownership in any entity required to be listed in the application exceeds five percent are disclosed. If the owner of the building or open lot is not a natural person, any change to the managers, officers or persons whose share of ownership exceeds five percent must be reported to the department within 30 days of such change. This provision is retroactive and applies to all applications for a certificate of occupancy that have been approved prior to the effective date of this provision, and applicants shall amend such previously approved applications to comply with this section by no later than December 31, 2024.

§ 2. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new item 11 to read as follows:

11. The maximum civil penalty for failure to update a change in applicant information pursuant to section 28-118.4.1 shall be \$2,500.

§ 3. Article 315 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.12 to read as follows:

**§ 28-315.12 Disclosure of natural owners.** By December 31, 2024, each owner of a building or open lot that is an entity other than a natural person shall comply with the retroactive requirements of section 28-118.4.

§ 4. Section 28-105.5 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

**§ 28-105.5 Application for permit.** All applications for permits shall be submitted on forms furnished by the department. Applications shall include all information required by this code, other applicable law or the rules of the department. The application shall include information regarding the ownership of the building, structure or open lot. If the owner of the building, structure or open lot is an entity other than a natural person, the name, physical address, e-mail address and telephone number of each manager and officer of such entity and of each person whose share of ownership of such entity exceeds five percent shall be stated in the application. Whenever an entity other than a natural person must be listed on the application under this section because it has a share of ownership that exceeds five percent, the name, physical address, e-mail address and telephone number of each manager and officer of such entity, and of each person whose share of ownership of such entity exceeds five percent shall also be stated in the application, such that all natural persons whose share of ownership in any entity required to be listed in the application exceeds five percent are disclosed. If the owner of the building, structure or open lot is not a natural person, any change to the managers, officers or persons whose share of ownership exceeds five percent must be reported to the department within 30 days of such change. The applicant shall list any portions of the design that have been approved for deferred submittal in accordance with section 28-104.2.6. The application shall set forth an inspection program for the project. An application for a permit shall be submitted no later than 12 months after the approval of all required construction documents (other than those documents approved for deferred submittal). The department shall provide written notification to owners of adjoining property at the time such application is submitted.

§ 5. This local law takes effect 120 days after it becomes law.

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