



Legislation Text

File #: Res 0803-2007, **Version:** *

Res. No. 803

Resolution endorsing the Speaker's decision to join with the Administration in filing, on behalf of the Council, an amicus brief in support of the Plaintiffs in the litigation between individual tenants and landlords captioned *Rosario v. Diagonal Realty LLC* for the purpose of supporting Local Law 44 of 1993 amending the City's J-51 tax abatement program to prohibit discrimination by landlords against tenants using or participating in government funded housing assistance programs including Section 8.

By Council Members Dilan, Mendez, Weprin, de Blasio, Palma, Martinez, Nelson, Sanders Jr., White Jr., Sears, James, Fidler, Comrie, Gonzalez and Mark-Viverito

Whereas, The Council passed Local Law number 44 for the year 1993, which provides that a landlord who receives tax benefits under the City's J-51 tax abatement program may not discriminate against tenants or potential tenants on the basis of such tenant's use of or participation in government-funded housing assistance programs including Section 8; and

Whereas, *Rosario v. Diagonal Realty, LLC* is a consolidated case brought in State Court in which individual plaintiff-tenants sued their landlords alleging, *inter alia*, that Local Law 49 of 1993 prevents their landlords who receive J-51 tax abatements on their rental buildings from refusing to accept tenants' Section 8 subsidies; and

Whereas, The validity of Local Law 44 of 1993 is at issue in this case as is the Council's right to decide what types of behavior among landlords it chooses to subsidize with City tax expenditures; now, therefore, be it;

Resolved, That the Council of the City of New York endorses the Speaker's decision to join with the Administration in filing, on behalf of the Council, an amicus brief in support of the Plaintiffs in the litigation between individual tenants and landlords captioned *Rosario v. Diagonal Realty, LLC* for the purpose of supporting Local Law 44 of 1993 amending the City's J-51 tax abatement program to prohibit discrimination

by landlords against tenants using or participating in government funded housing assistance programs including Section 8.