Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to the installation of protective devices for seniors and persons with a disability who reside in multiple dwellings, and the provision of a tax abatement for certain related installations		
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12/12/2019	*	Committee on Housing and Buildings	Hearing Held by Committee	
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Int. No. 225

By Council Members Brannan and Gennaro

A Local Law to amend the administrative code of the city of New York, in relation to the installation of protective devices for seniors and persons with a disability who reside in multiple dwellings, and the provision of a tax abatement for certain related installations

Be it enacted by the Council as follows:

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is hereby amended by adding a new section 27-2046.4 to read as follows:

§ 27-2046.4 Protective devices for senior citizens and persons with a disability; notification to tenants.

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a. It shall be the duty of the owner, lessee, agent or other person who manages or controls a multiple dwelling to:

1. provide, install and maintain in a safe manner grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability;

2. provide, install and maintain in a safe manner treads on the floors of showers and bathtub stalls in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability; and

3. cause to be delivered to each residential unit a notice advising occupants of the obligation of such owner, lessee, agent or other person who manages or controls a multiple dwelling to install the protective devices referred to in paragraphs 1 and 2 of this subdivision at no cost to the tenants. Such notice shall be provided on an annual basis in a form and manner approved by the department.

b. The department shall promulgate such rules as it deems necessary to comply with the provisions of this section with regard to the annual notice to tenants, and the safety standards and maintenance of the protective devices required by this section.

c. Any person who violates the provisions of this section, or the rules promulgated pursuant to this section, shall be guilty of a misdemeanor punishable by a fine of up to five hundred dollars or imprisonment for up to six months or both. In addition, such a person shall also be subject to a civil penalty of not more than five hundred dollars per violation.

d. As used in this section, the following terms have the following meanings:

1. "Senior citizen" means a person who is at least sixty years of age.

2. "Person with a disability" means an individual who provides documentation indicating that he or she

is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility.

§2. Part 1 of subchapter 2 of chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-245.11 to read as follows:

§ 11-245.11 Tax abatement for the installation of grab bars. a. For the purposes of this section, the following terms have the following meanings:

1. "Eligible owner" means a person who does not reside in a residential unit and installed grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit upon a request by a senior citizen or person with a disability residing therein or by a tenant residing therein with a senior citizen or person with a disability.

2. "Multiple dwelling unit" means a dwelling unit in a building in which there is either rented, leased, let or hired out to be occupied, or is occupied as the residence or home of two or more occupants living independently of each other.

3. "Person with a disability" means an individual who provides documentation indicating that he or she is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility which would entitle him or her to receive the protective devices referred to in paragraphs 1 and 2 of subdivision a of section § 27-2046.3 of this code.

4. "Senior citizen" shall mean a person who is at least sixty years of age.

b. For fiscal years beginning on and after the first of July, two thousand fourteen, an eligible owner of a multiple dwelling unit shall be eligible to receive an abatement of taxes imposed on such multiple dwelling unit for each grab bar installed in such multiple dwelling unit in one of the following amounts:

(i) where the eligible owner purchases and installs a grab bar within the tub area requiring anchoring by screws or toggles where there is no removal of surface tiles or surrounding facade, an amount not to exceed two hundred fifty dollars; or

(ii) where the eligible owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surrounding surface tiles or facade, an amount not to exceed four hundred dollars; or

(iii) where such owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surface lines and underlayment behind the removed tiles, an amount not to exceed eight hundred dollars.

c. Notwithstanding the provisions of subdivision b of this section, no abatement of real property taxes in accordance with this section shall exceed the actual cost to the eligible owner of the purchase and installation of a grab bar.

d. Any application for the real property tax abatement provided for in this section shall be submitted in such manner and in such form as shall be established by the commissioner by rule.

§3. This local law takes effect 90 days after enactment except that the commissioner of housing preservation and development and the commissioner of finance shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, prior to its effective date.

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