



## Legislation Details (With Text)

**File #:** Int 0114-2004 **Version:** A **Name:** Increasing penalties for violating the housing maintenance code, failing to provide heat and hot water.

**Type:** Introduction **Status:** Enacted  
**In control:** Committee on Housing and Buildings

**On agenda:** 2/4/2004

**Enactment date:** 1/3/2005 **Enactment #:** 2005/001

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for violating the housing maintenance code by failing to provide adequate heat and hot water.

**Sponsors:** Eva S. Moskowicz, Helen D. Foster, Gifford Miller, Michael C. Nelson, Philip Reed, Bill De Blasio, Melinda R. Katz, John C. Liu, Helen Sears, Gale A. Brewer, Tony Avella, Maria Baez, Erik Martin Dilan, Alan J. Gerson, Eric N. Gioia, Robert Jackson, Margarita Lopez, Bill Perkins, Christine C. Quinn, James Sanders, Jr., Larry B. Seabrook, Jose M. Serrano, Albert Vann, Yvette D. Clarke, Joseph P. Addabbo, Jr., Leroy G. Comrie, Jr., Lewis A. Fidler, G. Oliver Koppell, Miguel Martinez, Hiram Monserrate, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, Vincent J. Gentile, James F. Gennaro, Letitia James, David I. Weprin, Betsy Gotbaum

**Indexes:**

**Attachments:** 1. Committee Report 11/16/04, 2. Committee Report 12/14/04, 3. Fiscal Impact Statement - A, 4. Hearing Transcript - Stated Meeting 12/15/04, 5. Hearing Transcript 11/16/04, 6. Local Law, 7. Hearing Transcript 12/14/04

Date	Ver.	Action By	Action	Result
2/4/2004	*	City Council	Introduced by Council	
2/4/2004	*	City Council	Referred to Comm by Council	
11/16/2004	*	Committee on Housing and Buildings	Hearing Held by Committee	
11/16/2004	*	Committee on Housing and Buildings	Laid Over by Committee	
12/14/2004	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/14/2004	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
12/14/2004	*	Committee on Housing and Buildings	Amended by Committee	
12/14/2004	A	Committee on Housing and Buildings	Approved by Committee	Pass
12/15/2004	A	City Council	Approved by Council	Pass
12/15/2004	A	City Council	Sent to Mayor by Council	
1/3/2005	A	Mayor	Hearing Held by Mayor	
1/3/2005	A	Mayor	Signed Into Law by Mayor	
1/4/2005	A	City Council	Recved from Mayor by Council	

Int. No. 114-A

By Council Members Moskowitz, Foster, The Speaker (Council Member Miller), Nelson, Reed, DeBlasio, Katz, Liu, Sears, Brewer, Avella, Baez, Dilan, Gerson, Gioia, Jackson, Lopez, Perkins, Quinn, Sanders Jr., Seabrook, Serrano, Vann, Clarke, Addabbo, Comrie, Fidler, Koppell, Martinez, Monserrate, Recchia, Reyna, Rivera, Gentile, Gennaro, James, Weprin and The Public Advocate (Ms. Gotbaum)

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for violating the housing maintenance code by failing to provide adequate heat and hot water.

Be it enacted by the Council as follows:

Section 1. Paragraph one of subdivision (k) of section 27-2115 of the administrative code of the city of New York is amended to read as follows:

(k) (1) Notwithstanding any other provision of law, a person who violates section 27-2028, subdivision a of section 27-2029, section [27-2030,] 27-2031 or section 27-2032 of article eight of subchapter two of this chapter shall be subject to a civil penalty of not less than two hundred fifty nor more than five hundred dollars per day for each violation from and including the date the notice is affixed pursuant to paragraph two until the date the violation is corrected and [a] not less than five hundred nor more than one thousand dollars per day for each subsequent violation of such sections at the same dwelling or multiple dwelling during the same calendar year or, in the case of subdivision a of section 27-2029, during the same period of October first through May thirty-first. A person who violates subdivision b of section 27-2029 of article eight of subchapter two of this chapter shall be subject to a civil penalty of twenty-five dollars per day from and including the date the notice is affixed pursuant to paragraph two until the date the violation is corrected but no less than one thousand dollars. There shall be a presumption that the condition constituting a violation continues after the affixing of the notice.

§2. This local law shall take effect forty days after it shall have been enacted into law, except that the commissioner of housing preservation and development shall promulgate any rules and take all other actions necessary to implement this local law on or before the effective date of this local law.

A-version  
12/03/04, 9:00 am