



Legislation Details (With Text)

File #: Int 1914-2020 **Version:** A **Name:** COVID-19 Relief Package - Harassment of commercial tenants impacted by COVID-19.

Type: Introduction **Status:** Enacted

In control: Committee on Small Business

On agenda: 4/22/2020

Enactment date: 5/26/2020 **Enactment #:** 2020/053

Title: A Local Law to amend the administrative code of the city of New York, in relation to harassment of commercial tenants impacted by COVID-19

Sponsors: Adrienne E. Adams, Corey D. Johnson, Ben Kallos, James G. Van Bramer, Margaret S. Chin, Farah N. Louis, Diana Ayala, Stephen T. Levin, Brad S. Lander, Karen Koslowitz, Helen K. Rosenthal, Rory I. Lancman, Costa G. Constantinides, Carlos Menchaca, Public Advocate Jumaane Williams

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Date	Ver.	Action By	Action	Result
4/22/2020	*	City Council	Introduced by Council	
4/22/2020	*	City Council	Referred to Comm by Council	
4/29/2020	*	Committee on Small Business	Hearing Held by Committee	
4/29/2020	*	Committee on Small Business	Laid Over by Committee	
4/29/2020	*	Committee on Consumer Affairs and Business Licensing	Hearing Held by Committee	
4/29/2020	*	Committee on Consumer Affairs and Business Licensing	Laid Over by Committee	
5/13/2020	*	Committee on Small Business	Hearing Held by Committee	
5/13/2020	*	Committee on Small Business	Amendment Proposed by Comm	
5/13/2020	*	Committee on Small Business	Amended by Committee	
5/13/2020	A	Committee on Small Business	Approved by Committee	Pass
5/13/2020	A	City Council	Approved by Council	Pass
5/13/2020	A	City Council	Sent to Mayor by Council	
5/26/2020	A	Mayor	Hearing Held by Mayor	
5/26/2020	A	Mayor	Signed Into Law by Mayor	
5/26/2020	A	City Council	Recved from Mayor by Council	

Int. No. 1914-A

By Council Members Adams, the Speaker (Council Member Johnson), Kallos, Van Bramer, Chin, Louis, Ayala,

Levin, Lander, Koslowitz, Rosenthal, Lancman, Constantinides, Menchaca and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to harassment of commercial tenants impacted by COVID-19

Be it enacted by the Council as follows:

Section 1. Paragraph 11 of subdivision a of section 22-902 of the administrative code of the city of New York, as added by local law number 185 for the year 2019, is amended to read as follows:

11. threatening a commercial tenant based on (i) such person's actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, uniformed service, sexual orientation, alienage or citizenship status, status as a victim of domestic violence[,] or status as a victim of sex offenses or stalking, or (ii) the commercial tenant's status as a person or business impacted by COVID-19, or the commercial tenant's receipt of a rent concession or forbearance for any rent owed during the COVID-19 period; provided that for the purposes of this paragraph:

(a) the term "COVID-19 period" means March 7, 2020 through the later of (i) the end of the first month that commences after the expiration of the moratorium on enforcement of evictions of any tenant, residential or commercial, set forth in executive order number 202.8, as issued by the governor on March 20, 2020 and extended thereafter, (ii) the end of the first month that commences after the expiration of the moratorium on certain residential evictions set forth in section 4024 of the coronavirus aid, relief, and economic security, or CARES, act and any subsequent amendments to such section or (iii) September 30, 2020, inclusive;

(b) the term "impacted by COVID-19" means a person who has experienced one or more of the following situations:

(1) such person was diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and seeking a medical diagnosis; provided that for the purposes of this subparagraph, the term "COVID-19" means the 2019 novel coronavirus or 2019-nCoV;

(2) a member of such person's household was diagnosed with COVID-19;

(3) such person was providing care for a family member or a member of such person's household who was diagnosed with COVID-19;

(4) a member of such person's household for whom such person had primary caregiving responsibility was unable to attend school or another facility that was closed as a direct result of the COVID-19 state disaster emergency and such school or facility care was required for the person to work; provided that for the purposes of this subparagraph, the term "COVID-19 state disaster emergency" means the state disaster emergency declared by the governor in executive order number 202 issued on March 7, 2020;

(5) such person was unable to reach their place of business because of a quarantine imposed as a direct result of the COVID-19 state disaster emergency or because such person was advised by a health care provider to self-quarantine due to concerns related to COVID-19;

(6) such person became primarily responsible for providing financial support for the household of such person because the previous head of the household died as a direct result of COVID-19;

(7) such person's business is closed as a direct result of the COVID-19 state disaster emergency; and

(c) a business is "impacted by COVID-19" if (i) it was subject to seating, occupancy or on-premises service limitations pursuant to an executive order issue by the governor or mayor during the COVID-19 period or (ii) its revenues during any three-month period within the COVID-19 period were less than 50 percent of its revenues for the same three-month period in 2019 or less than 50 percent of its aggregate revenues for the months of December 2019, January 2020, and February 2020 and such revenue loss was the direct result of the COVID-19 state disaster emergency. A revenue loss shall be deemed to be the direct result of the COVID-19 state disaster emergency when such disaster emergency was the proximate cause of such revenue loss;

§ 2. This local law takes effect immediately.

LS # 14764
5/5/20 5:18PM