



Legislation Text

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Int. No. 967

By Council Members Brewer, Chin, Gonzalez, James, Mendez, Recchia, Williams, Rodriguez, Jackson, Lander, Van Bramer, Vann, Dromm, Lappin, Garodnick, Barron, Gennaro and Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to the issuance of orders for repairs to buildings.

Be it enacted by the Council as follows:

Section 1. Section 27-2091 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. The department shall have the power to issue an order to correct any underlying condition existing in a building that has caused or is causing a violation of this code, of the multiple dwelling law, or of other state and local laws that impose requirements on dwellings.

1. Such order may be issued to an owner of a building that meets the criteria promulgated by the department in rules.

2. The department may file such order in the office of the county clerk in the county in which the building is located. Where such order has been filed by the department and complied with by the owner, the department shall file a rescission of the order with such county clerk.

3. An owner shall comply with such order and submit such documentation as the department may require indicating compliance with the order no later than four months after the order has been issued, provided, however, that the department may extend the deadline for compliance by a period not to exceed two months, in accordance with criteria promulgated by the department in rules. If such owner fails to comply with

such order, the department may perform all or part of the work required by such order.

4. All amounts for expenses incurred by the department pursuant to this subdivision that remain unpaid by an owner, shall constitute a debt recoverable from the owner and a lien upon the building and lot, and upon the rents and other income thereof. The provisions of article eight of subchapter five of this code shall govern the effect and enforcement of such debt and lien. The department may serve a statement of account upon an owner for such amounts pursuant to section 27-2129 of this code.

5. Notwithstanding any provision of this code to the contrary, an owner who fails to comply with an order issued pursuant to this subdivision shall be subject to a civil penalty of one thousand dollars for each dwelling unit that is the subject of such order, provided, however, that the total amount of such penalty shall not be less than five thousand dollars.

§2. This local law shall take effect one hundred eighty days after its enactment, provided, however, that the commissioner of the department of housing preservation and development may take such actions as are necessary for implementation of this local law, including the promulgation of rules, prior to such effective date.

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