



Legislation Text

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Int. No. 477

By Council Members Barron, Dromm, Chin, Constantinides, Gentile, Johnson, Koo, Levine, Mendez, Rodriguez, Menchaca, Eugene and Rose

A Local Law to amend the administrative code of the city of New York, in relation to evictions of elderly tenants.

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11

EVICCTIONS OF ELDERLY TENANTS

§ 26-1101 Definitions.

§ 26-1102 Notification requirement.

§ 26-1103 Tenant assistance.

§ 26-1104 Reporting.

§ 26-1105 Violations.

§ 26-1106 Rules.

§ 26-1101 Definitions. For the purposes of this chapter, the following terms shall mean:

COMMISSIONER. The commissioner of housing preservation and development.

DEPARTMENT. The department of housing preservation and development.

DWELLING UNIT. A dwelling unit as defined by section 27-2004 of the housing maintenance code.

OWNER. An owner as defined by section 27-2004 of the housing maintenance code.

SENIOR. A person who is sixty-two years of age or older.

SENIOR OCCUPANT. A person who is (i) a senior or the spouse or domestic partner of a senior and (ii) entitled to the possession or use and occupancy of a dwelling unit.

§ 26-1102 Notification requirement. On or before the day on which an owner serves a petition or notice of petition for a summary proceeding to recover possession of real property, pursuant to article seven of the real property actions and proceedings law, upon a senior occupant, the owner shall provide written notification to the department of the name, address and phone number of the senior occupant. Such notification shall be in the form and manner determined by the department pursuant to rules promulgated by the department.

§ 26-1103 Tenant assistance. Upon receiving a notice pursuant to section 26-1102 of this chapter, the department shall provide to the senior occupant identified on the notice a list of entities that may provide legal services to senior tenants, including low-income senior tenants, or that may assist such tenants in obtaining legal services.

§ 26-1104 Reporting. The commissioner, in conjunction with the commissioner of the commission on human rights, shall analyze the information received pursuant to section 26-1102 of this chapter and shall, no later than July first of each year, report to the mayor and the speaker of the council regarding the findings of such analysis including, but not limited to, any trends identified in evictions of senior tenants and any finding or pattern of discrimination against senior tenants with respect to eviction.

§ 26-1105 Violations. Any person who violates section 26-1102 of this chapter shall be guilty of a class A misdemeanor.

§ 26-1106 Rules. The commissioner shall promulgate such rules as may be necessary for the purposes of implementing the provisions of this chapter.

§ 2. This local law shall take effect ninety days after its enactment into law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.