



Legislation Text

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Int. No. 700-A

By Council Members Williams, Garodnick, Espinal, Barron, Chin, Cumbo, Gibson, Johnson, King, Koslowitz, Lander, Levin, Rosenthal, Cohen, Menchaca, Rodriguez, Kallos and Wills

A Local Law to amend the administrative code of the city of New York, in relation to required disclosures by persons making buyout offers

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent and findings. a. The council finds and declares that:

1. While there are legitimate reasons for building owners to make buyout offers to tenants by offering money or other valuable consideration to vacate their apartments, some tenants do not understand their rights with respect to buyout offers, including their right to reject such an offer and remain in their apartment or to seek guidance from an attorney, and some tenants do not understand what a buyout offer is or that such offer is being made on behalf of the owner of the building in which they reside;

2. Tenants cannot meaningfully accept, reject or negotiate such offers without such an understanding; and

3. The city has a substantial interest in balancing the rights of building owners to make these buyout offers with the rights of tenants to meaningfully accept, reject or negotiate such offers or to refuse contact regarding such offers.

b. The council finds that it is necessary and appropriate to require the disclosure of certain factual and uncontroversial information in connection with buyout offers in order to protect tenants from confusion or deception.

§ 2. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York

is amended by adding a new subparagraph f-2 to read as follows:

f-2. contacting any person lawfully entitled to occupancy of such dwelling unit to offer money or other valuable consideration to induce such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, unless such owner discloses to such person in writing (i) at the time of the initial contact, and (ii) in the event that contacts continue more than 180 days after the prior written disclosure, at the time of the first contact occurring more than 180 days after the prior written disclosure:

(1) the purpose of such contact,

(2) that such person may reject any such offer and may continue to occupy such dwelling unit,

(3) that such person may seek the guidance of an attorney regarding any such offer and may, for information on accessing legal services, refer to The ABCs of Housing guide on the department's website,

(4) that such contact is made by or on behalf of such owner, and

(5) that such person may, in writing, refuse any such contact and such refusal would bar such contact for 180 days, except that the owner may contact such person regarding such an offer if given express permission by a court of competent jurisdiction or if notified in writing by such person of an interest in receiving such an offer;

§ 3. This local law takes effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

Wcj/GP

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