



Legislation Text

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Int. No. 1211

By Council Members Torres, Garodnick, Williams, Mendez, Cornegy, Salamanca, Johnson, Menchaca, Miller, Maisel and the Public Advocate (Ms. James)

A Local Law to amend the administrative code of the city of New York, in relation to creating a rebuttable presumption regarding harassment

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 49 to read as follows:

49. Debt service coverage ratio shall mean the quotient obtained when a multiple dwelling's annual net operating income is divided by such multiple dwelling's annual debt service, with the result expressed as a decimal carried to the hundredths place without rounding.

§ 2. Subdivision h of section 27-2115 of the administrative code of the city of New York is amended by adding a new paragraph (3) to read as follows:

(3) Where a multiple dwelling of six or more dwelling units has a debt service coverage ratio of less than 1.05, it shall give rise to a rebuttable presumption that acts or omissions described in subparagraphs a through g of paragraph 48 of subdivision a of section 27-2004 of the housing maintenance code were intended to cause or did cause a person lawfully entitled to occupancy of a dwelling unit in such property to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

§ 3. This local law takes effect 120 days after it becomes law except that that commissioner of housing preservation and development shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

8/5/15 1:45PM