



Legislation Text

File #: Int 0583-2018, Version: *

Int. No. 583

By the Public Advocate (Mr. Williams) and Council Member Adams

A Local Law to amend the administrative code of the city of New York, in relation to evictions of disabled 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 14 to read as follows:

CHAPTER 14

EVICCTIONS OF DISABLED TENANTS

§ 26-1401 Definitions.

§ 26-1402 Notification requirement.

§ 26-1403 Tenant assistance.

§ 26-1404 Reporting.

§ 26-1405 Violations.

§ 26-1406 Rules.

§ 26-1401 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.

DISABLED OCCUPANT. A person who is (i) entitled to the possession or use and occupancy of a dwelling unit and (ii) who is a disabled person or the spouse or domestic partner of a disabled person as defined in subdivision m of section 17-306 of this code.

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.

§ 26-1402 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 or a notice pursuant to section 5(a)(11) of the emergency tenant protection act of 1974, upon a disabled occupant, the owner shall provide written notification to the department of the name, address and phone number of the disabled occupant where an owner knows or has reason to know the occupant is disabled. Such notification shall be in the form and manner determined by the department pursuant to rules promulgated by the department.

§ 26-1403. Tenant assistance. Upon receiving a notice pursuant to section 26-1402 of this chapter, the department shall provide to the disabled occupant identified on the notice a list of entities that may provide legal services to disabled tenants, including low-income disabled tenants, or that may assist such tenants in obtaining legal services.

§ 26-1404 Reporting. The commissioner, in conjunction with the commissioner on human rights, shall, no later than July first of each year, report to the mayor and the speaker of the council on trends identified in evictions of disabled tenants and any findings or pattern of discrimination against disabled tenants with respect to eviction based upon information received pursuant to section 26-1402 of this chapter.

§ 26-1405 Violations. Any person who violates section 26-1402 of this chapter shall be guilty of a class A misdemeanor.

§ 26-1406 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 120 days after it becomes 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.