



Legislation Text

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Int. No. 919

By Council Members Torres, Treyger, Holden, Cumbo, Kallos and Lander

A Local Law to amend the administrative code of the city of New York, in relation to investigations of lead-based paint hazards by independent and certified inspectors

Be it enacted by the Council as follows:

Section 1. Section 27-2056.4 of the administrative code of the city of New York is amended by adding a new subdivision a-1 to read as follows:

a-1. At least once every five years, an investigation undertaken pursuant to this section shall be performed by a person who is (i) independent of the owner and any person or firm that performs any work required for remediation, and (ii) certified as an inspector or risk assessor pursuant to section 745.226 of title 40 of the code of federal regulations.

§ 2. Subdivision b of section 27-2056.8 of the administrative code of the city of New York, as added by local law 1 for the year 2004, is amended to read as follows:

b. Where turnover of a dwelling unit as described in subdivision a of this section occurs five or more years after the most recent turnover of such dwelling unit, an investigation for lead-based paint hazards shall be performed by a person who is (i) independent of the owner and any person or firm that performs any work required for remediation upon turnover, and (ii) certified as an inspector or risk assessor pursuant to section 745.226 of title 40 of the code of federal regulations. All work performed pursuant to this section shall be performed pursuant to the safe work practices promulgated pursuant to section 27-2056.11(a)(3) of this article.

§ 3. Paragraph (6) of subdivision a of section 27-2098 of the administrative code of the city of New York, as added by local law 44 for the year 2010, is amended to read as follows:

(6) If the dwelling is subject to the requirements of section 27-2056.4 or section 27-2056.8, for each dwelling unit in such dwelling (i) whether such unit turned over during the period covered by such registration, (ii) the name of the persons who performed the investigations and any remediation pursuant to such sections since the most recent registration date and (iii) whether the department has granted an exemption from the presumption established by section 27-2056.5 for such unit.

(7) For the purposes of this section, a United States postal service mail delivery box, a mail delivery box maintained through a privately operated mail handling facility or the address at which any similar service is provided shall be deemed an invalid business address and the department shall not accept for filing any registration statement containing only such an address.

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

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