



Legislation Text

File #: Int 1803-2019, **Version:** *

Int. No. 1803

By Council Member Chin

A Local Law to amend the administrative code of the city of New York, in relation to adding conditions for the revocation of vacate orders

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2142 of the administrative code of the city of New York, as amended by local law 14 for the year 2017, is amended to read as follows:

§ 27-2142 Reoccupancy after vacate order. a. No person shall occupy, or cause or permit to be occupied, any dwelling or part thereof while such dwelling or part is subject to a vacate order. Notwithstanding any other provision of law, an owner or managing agent or other representative of such owner who violates this subdivision by permitting or allowing [re-occupancy] reoccupancy of a premises that is subject to a vacate order shall be subject to a civil penalty of not less than [five thousand dollars] ten thousand dollars and not more than twenty thousand dollars for each reoccupied dwelling unit in such premises.

§ 2. Subdivision d of section 27-2142 of the administrative code of the city of New York is amended to read as follows:

d. 1. The department [may] shall require as [a condition] conditions for revocation of a vacate order, that the owner [make reasonable effort to notify] has: (i) made available adequate temporary dwelling or other assistance in relocating to a temporary dwelling in compliance with rules promulgated by the department, to any tenants who has vacated a dwelling pursuant to such order, (ii) notified [any] such tenants [who may have vacated the dwelling pursuant to such order that said tenant has] that such tenants have a right to [re-occupy] reoccupy such [the] dwelling; (iii) notified such tenants that such owner will permit reoccupancy of such

dwelling by such tenants and (iv) if the dwelling is not available for reoccupancy by any tenant who may have vacated the dwelling, provided evidence to the department pursuant to rules promulgated by the department that such dwelling is the primary residence of such owner.

2. Not less than 15 days before revocation of a vacate order, the owner shall also provide notice that the dwelling is prepared for reoccupancy to each tenant who has vacated the dwelling pursuant to such vacate order and shall send a copy of such notice to the department.

§ 3. Section 27-2142 of the administrative code of the city of New York is amended to add a new subdivision e to read as follows:

e. An owner who fails to provide the notice or evidence required pursuant to paragraph 2 of subdivision d of this section, shall be subject to a civil penalty of not less than five hundred dollars nor more than two thousand five hundred dollars for each failure to provide such notice or evidence for each day the owner has failed to provide such notice.

§ 4. Takes effect on the same date as local law 159 for the year 2019 takes effect.

GZ
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