



Legislation Text

File #: Int 1856-2020, **Version:** *

Int. No. 1856

By the Public Advocate (Mr. Williams) and Council Members Kallos, Yeger, Lander, Ampry-Samuel and Koslowitz

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to provide a time frame when scheduling inspections and repairs

Be it enacted by the Council as follows:

Section 1. Section 27-2125 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Where the department sends personnel to a dwelling unit for the purposes of correcting conditions in violation of the housing maintenance code, it shall provide the tenant of the dwelling with an estimated three hour time frame within which department personnel will arrive; provided, however, that where the department sends personnel for the purpose of making emergency repairs, then arrival shall be as soon as practicable considering the nature of the repair and availability of department personnel and resources.

§ 2. Subdivision b of section 27-2017.6 of the administrative code of the city of New York, as added by local law number 55 for the year 2018, is amended to read as follows:

b. In any dwelling unit in a multiple dwelling the department shall conduct an inspection pursuant to subdivision a of this section no later than thirty days after the department's receipt of a complaint describing a condition that would constitute a violation under subdivision a of section 27-2017.3 or subdivision b of section 27-2017.4. Where the department sends personnel to a dwelling unit for the purposes of performing an inspection, it shall provide the tenant of the dwelling with an estimated three hour time frame within which department personnel will arrive. Where the department attempts to perform an inspection of a dwelling unit

within the time period required by this subdivision but is unable to gain access, the department shall provide written notice to the occupant of such dwelling unit that no further attempts at access shall be made unless a new complaint is submitted.

§ 3. Subdivision a of section 27-2056.7 of the administrative code of the city of New York, as amended by local law number 66 of 2019, is amended to read as follows:

a. When the department of health and mental hygiene issues a commissioner's order to abate pursuant to section 173.13 of the New York city health code or a successor rule that addresses lead-based paint hazards or unsafe lead paint in a specific dwelling unit in a multiple dwelling, the department, within fifteen days of such order, shall notify the owner of the multiple dwelling where the dwelling unit is located that the owner shall, within forty-five days of the department's notice, provide to the department all records required to be maintained under this article. Upon the department's receipt of those records and a determination that there may exist uncorrected lead-based paint hazards in dwelling units where a child of applicable age resides, the department within ten days shall attempt to inspect such units to determine whether there are any violations of section 27-2056.6 of this article. Where the department sends personnel to a dwelling unit for the purposes of performing an inspection, it shall provide the tenant of the dwelling with an estimated three hour time frame within which department personnel will arrive.

§ 4. Subdivision b of section 27-2056.9 of the administrative code of the city of New York as added by local law number 1 for the year 2004, is amended to read as follows:

b. In any dwelling unit in a multiple dwelling erected prior to January 1, 1960 where a child of applicable age resides, the department shall conduct an inspection pursuant to subdivision a of this section no later than ten days after the department's receipt of a complaint describing peeling paint, or a deteriorated subsurface or underlying defect in the dwelling unit. The department shall make diligent efforts to ascertain whether a child of applicable age resides therein. Where the department sends personnel to a dwelling unit for the purposes of performing an inspection, it shall provide the tenant of the dwelling with an estimated three

hour time frame within which department personnel will arrive. Where the department attempts to perform an inspection of a dwelling unit within the time period required by this subdivision but is unable to gain access, the department shall be required to make a reasonable attempt to gain access to such dwelling unit within five days of such attempt. If the department is unable to gain access to that dwelling unit during this additional time period, the department shall provide written notice to the occupant of such dwelling unit that no further attempts at access shall be made unless a new complaint is submitted.

§ 5. This local law takes effect 60 days after it becomes law.

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6/13/19 12:15pm