



Legislation Text

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Int. No. 2176

By Council Members Levin, Rosenthal and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to a supportive housing tenant's bill of rights

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-145 to read as follows:

§ 21-145 Supportive housing bill of rights. a. Definitions. For purposes of this section, the following terms have the following meanings:

Dwelling unit. The term "dwelling unit" means a dwelling unit as defined in paragraph 13 of subdivision a of section 27-2004.

Supportive housing. The term "supportive housing" means affordable, permanent housing with support services for tenants.

Tenant. The term "tenant" means a person occupying, or intending to occupy, the dwelling unit for 30 consecutive days or more.

b. Notice of supportive housing tenant's rights. Every provider of supportive housing shall be required to provide every tenant at the time of initial occupancy, at each renewal, and upon request, a notice of rights approved by the department using plain and simple language. The notice shall be in the English and the primary language spoken by the tenant. The notice shall include, but not be limited to, the following information:

1. Whether the dwelling unit is subject to the rent stabilization laws pursuant to section 26-504, et seq.,

and if not, the reason for exemption. For dwelling units that are subject to the rent stabilization laws, the notice shall also provide information on how to obtain a rent history from the state division of housing and community renewal.

2. Whether the dwelling unit is in a building that is in receipt of a tax exemption or abatement, including but not limited to abatements or exemptions pursuant to sections 421-a or 421-g of the real property tax law or section 11-243. If the building is in receipt of an exemption or abatement, the notice will include the abatement or exemption start and end dates.

3. The tenant's right to bring special proceedings pursuant to article 7 of the real property actions and proceedings law and that a tenant's eviction must be sought through a court proceeding and any relevant phone numbers that a tenant may contact for legal advice and possible legal representation, including but not limited to 311.

4. The tenant's right to enforce the housing maintenance code pursuant to section 27-2001 et seq and information concerning how to report violations and contact information for the person or people responsible for maintaining housing maintenance code standards and responding to emergencies.

5. The tenant's right to be request reasonable accommodations and the right to be protected against discrimination pursuant to section 290 et seq. of the human rights law and section 8-101 et seq.

6. The tenant's right to receipts for payments made in exchange for occupancy pursuant to section 235-e of the real property law.

7. The tenant's right to have family and/or additional occupants pursuant to section 235-f of the real property law.

8. Whether the dwelling unit is subject to section 595 et seq. of title 14 of the New York codes, rules and regulations, and the tenant's rights under that section.

9. The tenant's right to be free from harassment pursuant to section 27-2004.

10. The following information about the building's regulatory scheme:

(a) Each funding stream used to provide social services, subsidize rents, or underwrite the development of the unit or property;

(b) The name(s) of the program(s) pursuant to which the tenant is occupying the dwelling unit;

(c) The name of the agency administering the program and/or providing services or assistance pursuant to (a) and (b);

(d) Any applicable grievance, or equivalent, policy or procedure to register and hear tenant complaints;

(e) Any applicable regulations;

(f) Contact information for a responsible person at the administering agency;

(g) The total rent, tenant rent, and agency rent amounts; and

(h) The manner in which the rent will be paid.

11. The tenant's right to be provided access to legal services if facing eviction in housing court and all other relevant tenant's rights.

12. Any additional information related to tenant's rights provided orally or in writing to a supportive housing applicant during an interview with a provider.

c. Any provider that is subject to this chapter that is initiating an eviction proceeding pursuant to article 7 of the real property actions and proceedings law., shall plead compliance with this chapter pursuant to section 741 of the real property actions and proceedings law.

d. Penalties. Any provider who violates the provisions of subdivision b of this section shall be liable for a civil penalty of \$250 for each violation. For purposes of this section, each dwelling unit for which a provider fails to provide the notice required pursuant to this section shall be deemed a separate violation.

e. The department shall receive, investigate, and respond to complaints concerning violations of this section. All complaints, responses, and violations issued by the department will be posted on the department's website and will include the identity of the supportive housing provider, the date the complaint was submitted, any results of the complaint, the date of the conclusion of any investigation resulting from the complaint, and

the number and amount of penalties assessed.

§ 2. This local law takes effect 120 days after it becomes law.

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