



Legislation Text

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Int. No. 2383

By Council Members Dromm, Miller and Holden

A Local Law to amend the administrative code of the city of New York, in relation to the documents required for proof of occupancy for relocation services

Be it enacted by the Council as follows:

Section 1. Subdivision 7 of section 26-301 of the administrative code of the city of New York, as added by local law number 16 for the year 2017, is amended to read as follows:

7. (a) The commissioner of housing preservation and development may require that a tenant of a privately owned building provide verification of occupancy in order to receive relocation services pursuant to subparagraph (v) of paragraph (a) of subdivision 1 of this section. If the commissioner establishes such a requirement, the commissioner shall establish a system under which such tenant is provided at least [two] three methods to verify such occupancy, including the following [two] three methods:

(i) submission to the commissioner of a lease, sublease or license agreement verifying that the tenant resides at such building;

(ii) submission to the commissioner of any two of the following documents:

(A) a valid government-issued identification listing such building as such tenant's address;

(B) a valid record from any government agency listing such building as such tenant's address;

(C) a valid record relating to medical treatment, including prescriptions, that show such building as such tenant's address;

(D) a notarized written statement from the owner of such building verifying that such tenant resides at such building, provided, however, that a statement by such owner stating that such tenant does not reside at

such building shall not be used to prevent such tenant from receiving relocation assistance;

(E) a valid utility bill addressed to such tenant at such building;

(F) a notarized statement from a third party, non-governmental service provider, written on the provider's official letterhead, verifying that services were provided to such tenant and showing that such tenant resides at such building; or

(G) any other form of verification that the commissioner of housing preservation and development may deem appropriate[.]; and

(iii) submission to the commissioner of all three of the following documents:

(A) a signed statement, which may also be an electronic form made available by the department, from such tenant of such building attesting that such tenant resides in such building and does not have any of the other forms of verification;

(B) a notarized written statement from a person who does not reside in the same household as such tenant but who has personal knowledge of such tenant verifying that such tenant resides at such building and stating the basis of their knowledge; and

(C) a signed statement from a resident of the same unit as such tenant who is receiving relocation assistance from the department for the same dislocating event or has a pending application that has not been denied verifying that such tenant resides at such building, or, if the such tenant cannot obtain this, a notarized written statement from a resident of the same building as such tenant, or an adjacent building, verifying that such tenant resides at such building.

(b) The department of housing preservation and development shall attempt to obtain the records described in clause (B) of subparagraph (ii) of paragraph a of this subdivision from the department of social services/human resources administration [where applicable to such tenant] or any other government agency identified by such tenant as likely to have such records, provided that the tenant signs any necessary release as determined by the department of housing preservation and development.

(c) The commissioner of housing preservation and development shall provide any such tenant who is denied such services with (i) written notice of such decision, (ii) the basis for such decision and (iii) information on how to appeal such decision.

§ 2. This local law takes effect 90 days after it becomes law.

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