



## Legislation Text

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Int. No. 99

By Council Members Oddo, Lanza, Gallagher, Avella, Comrie, Martinez, Reyna and Stewart; also Council Member Gioia

A Local Law to amend the administrative code of the city of New York, in relation to the inspection of dwellings to accommodate individuals and families and recipients of section 8 vouchers.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-309.1 to read as follows:

§21-309.1 Referrals to non-compliant dwelling units prohibited. a. Not later than June 30, 2000, the commissioner shall eliminate for the purpose of providing transitional or permanent housing for individuals and families the department's use of:

1. any privately owned or publicly owned dwelling unit which at the time of placement is not in compliance with the building code, the electrical code, the fire prevention code, the housing and maintenance code and any other applicable laws, rules and regulations;

2. any privately owned or publicly owned dwelling unit which has not been inspected within the last three years prior to placement by either a representative of the department of buildings, the department of housing preservation and development or the New York city housing authority; and

3. any privately owned or publicly owned dwelling unit for which at the time of placement there is any outstanding violation of the building code, the electrical code, the fire prevention code, or the housing and maintenance code or any other outstanding violation over which the environmental control board has jurisdiction.

b. Prior to the placement of any individual or family, the department shall consult with the department of buildings to verify that a valid certificate of occupancy exists for the housing where such individual or family will be placed.

§2. Subdivision a of section 27-2094 of the administrative code of the city of New York is amended to read as follows:

a. Notwithstanding any other provision of this chapter, the department, its officers or inspectors, shall have no authority to inspect a one- or two- family dwelling, at least one dwelling unit of which is owner-occupied, for violations of this code except as authorized under section 27-2094.2 of this code, unless the department has received a signed complaint relating to conditions in such dwelling or has a warrant for such inspection.

§3. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2094.1 to read as follows:

§27-2094.1 Referrals to non-compliant dwelling units prohibited. a. Not later than June 30, 2000, the commissioner shall eliminate for the purpose of providing transitional or permanent housing for individuals and families the department's use of:

1. any privately owned or publicly owned dwelling unit which at the time of placement is not in compliance with the building code, the electrical code, the fire prevention code, the housing and maintenance code and any other applicable laws, rules and regulations;

2. any privately owned or publicly owned dwelling unit which has not been inspected within the last three years prior to placement by either a representative of the department, department of buildings or the New York city housing authority; and

3. any privately owned or publicly owned dwelling unit for which at the time of placement there is any outstanding violation of the building code, the electrical code, the fire prevention code, or the housing and maintenance code or any other outstanding violation over which the environmental control board has

jurisdiction.

b. Not later than June 30, 2000, the New York city housing authority shall eliminate for the purpose of providing transitional or permanent housing for individuals and families pursuant to the section 8 voucher program the authority's use of:

1. any privately owned dwelling unit which at the time of placement is not in compliance with the building code, the electrical code, the fire prevention code, the housing and maintenance code and any other applicable laws, rules and regulations;

2. any privately owned dwelling unit which has not been inspected within the last three years prior to placement by either a representative of the department of buildings, the department of housing preservation and development or the New York city housing authority; and

3. any privately owned or publicly owned dwelling unit for which at the time of placement there is any outstanding violation of the building code, the electrical code, the fire prevention code, or the housing and maintenance code or any other outstanding violation over which the environmental control board has jurisdiction.

c. Prior to the placement of any individual or family, the department or the New York city housing authority shall consult with the department of buildings to verify that a valid certificate of occupancy exists for the housing where such individual or family will be placed pursuant to such department or authority.

§4. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2094.2 to read as follows:

§27-2094.2 Inspection of dwelling units. Notwithstanding any other provisions of this chapter, the department shall have the authority to inspect any dwelling unit, including any dwelling unit located within one - and two-family dwellings, for violations of this code prior to the placement of any individual or family pursuant to any housing program, including the section 8 voucher program, administered by the city, its agencies and the New York city housing authority.

§5. This local law shall take effect immediately.