



Legislation Text

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Res. No. 1247

Resolution calling upon the New York State Division of Housing and Community Renewal to cooperate with the New York City Department of Buildings to make available on the department's online database information about the rent regulatory status of a unit or apartment building.

By Council Members Avella, Gentile, Gerson, James, Mark-Viverito, Mealy, Mendez, Sanders Jr. and Stewart

Whereas, Pursuant to the Omnibus Housing Act of 1983, the New York State Division of Housing and Community Renewal ("DHCR") is responsible for administering City and State rent regulation programs; and

Whereas, The Rent Control program applies to residential buildings constructed before February 1, 1947 and the Rent Stabilization program applies to apartments in buildings of six or more units built between February 1, 1947 and December 31, 1973, tenants in buildings constructed before February 1, 1947 who moved in after June 30, 1971, as well as to some newly constructed buildings whose owners receive certain real property tax benefits or other financial incentives; and

Whereas, State law requires that such programs can only exist in municipalities that have declared a continuing rental housing emergency; and

Whereas, New York City last declared such emergency in March 2006 after a report containing the 2005 Housing and Vacancy Survey prepared by the Department of Housing Preservation and Development indicated a citywide rental vacancy rate of 3.09%; and

Whereas, Both the Rent Control and Rent Stabilization program regulations are intended to protect tenants in privately-owned buildings from large and unexpected rent increases, restrict the right of an owner to evict a tenant, and require an owner to provide services and repairs to regulated apartments; and

Whereas, Tenants can only avail themselves of the protections afforded to them pursuant to Rent

Control or Rent Stabilization laws when they are aware that they reside in apartments covered by such laws; and

Whereas, Tenant advocates, public officials and interested members of the public could also assist tenants in protecting their tenancy rights when they are aware that an apartment is Rent Controlled or Rent Stabilized; and

Whereas, DHCR maintains records related to the rent registration and regulatory status of over one million New York City rental stock subject to Rent Stabilization and such information is accessible by an authorized request to DHCR; and

Whereas, The New York City Department of Buildings (DOB) is the designated City agency responsible for maintaining construction related requests, including building construction and alteration applications for units or apartments located throughout the City, and immediate public access to such records is made available through the DOB's building information database; and

Whereas, According to DOB, in May 2005, approximately 15,000 unique users visited its online database site each day to gather information related to construction activity throughout the city, demonstrating that such site draws many visitors and is readily accessible; and

Whereas, A unit or apartment building's rent regulatory status is not presently available through DOB's database even though such information would help a user determine if a Rent Stabilized/Controlled unit or building, consequently a protected dwelling, is the subject of construction activity; and

Whereas, DOB must rely on the cooperation of DHCR to make the rent regulatory status of a unit or apartment building available on its database and such information would serve the public interest; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Division of Housing and Community Renewal to cooperate with the New York City Department of Buildings to make available on the department's online database information about the rent regulatory status of a unit or apartment building.

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