



Legislation Text

File #: Int 0195-2022, **Version:** A

Proposed Int. No. 195-A

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A Local Law to amend the administrative code of the city of New York, in relation to requiring inspection of unoccupied dwelling units

Be it enacted by the Council as follows:

Section 1. Section 27-2005 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. The owner of a multiple dwelling shall keep all unoccupied dwelling units in good repair.

§ 2. Article 1 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2009.3 to read as follows:

§ 27-2009.3 Inspections of unoccupied dwelling units. a. Complaints about unoccupied dwelling units.

Upon receipt of a complaint of a potential hazardous or immediately hazardous condition in an unoccupied dwelling unit in a multiple dwelling, the department shall notify the owner of such multiple dwelling to schedule an inspection of such unoccupied dwelling unit by the department within 21 days of such complaint. Such notification shall include information about the items on the inspection checklist set forth in subdivision c of this section. Failure to attempt to schedule such inspection shall constitute a non-hazardous violation.

b. Inspection following notice of violation. If, in the course of an inspection of an unoccupied dwelling unit conducted pursuant to subdivision a of this section, the department issues a notice of violation for a hazardous or immediately hazardous condition in the unoccupied dwelling unit, the department shall schedule

an additional inspection of such dwelling unit to inspect whether the violating condition has been corrected within the timeframe established by law. Failure to attempt to schedule such follow-up inspection shall constitute a non-hazardous violation.

c. Inspection checklist. An inspection of an unoccupied dwelling unit conducted pursuant to subdivision a of this section shall include, but not be limited to, an inspection for the following conditions:

1. Windows and doors to ensure they are secured against potential trespass;
2. Firestopping features, including whether cooking gas valves are shut and stoves are disconnected from gas lines;
3. Indications of the potential presence of any rodents, rats, mice, cockroaches or other pests, and any holes or other potential entryway paths for such pests;
4. The presence of any garbage, debris or excessive dust;
5. Any visible mold, and underlying defects that may result in an indoor mold hazard or create a water source for pests, such as a water leak or water infiltration from defective plumbing;
6. If the inspection is conducted during heat season, whether there is sufficient weatherization to ensure that minimum indoor temperature requirements are met;
7. Whether radiators are intact and sealed against potential leaks;
8. The presence of fire and carbon monoxide detectors; and
9. Any potential defects in the walls, floors and ceiling.

d. Inspection fee. The department may by rule provide for a fee for an inspection conducted pursuant to subdivision a or b of this section. All fees that remain unpaid shall constitute a debt recoverable from the owner and a lien upon the premises, and upon the rents and other income thereof. The provisions of article eight of subchapter five of this chapter shall govern the effect and enforcement of such debt and lien.

e. Mitigating circumstances. An owner may, in defense or mitigation of liability for civil penalties issued pursuant subdivision a or b of this section, show that such owner made timely efforts to schedule the

inspection required by subdivision a or b of this section.

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

Session 12

NC/AS

LS #5451/7066

5/17/23

Session 11

MHL

LS #16508