



Legislation Text

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Int. No. 195-B

By Council Members Rivera, Brewer, Cabán, Nurse, Hanif, Farías, Avilés, Brooks-Powers, Ayala, Krishnan, Won, Richardson Jordan, Restler, Ossé, Gutiérrez, Hudson, Abreu, Bottcher, Williams, Louis, Schulman, Sanchez, Dinowitz, Joseph, De La Rosa, Feliz, Riley, Stevens, Barron, Powers, Narcisse, Marte and The Speaker (Council Member Adams)

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. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 50 to read as follows:

50. The term “unoccupied dwelling unit” means a dwelling unit that is not occupied for permanent residence or temporary residence purposes.

§ 2. 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 such multiple dwelling in good repair.

§ 3. 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 conditions in unoccupied dwelling units affecting occupied dwelling units in multiple dwellings. Upon receipt of a complaint about pests, leaks, accumulation of refuse, unsecured openings, mold, or inadequate firestopping in an unoccupied dwelling unit of a multiple dwelling that may be the cause of a hazardous or immediately hazardous condition in an

occupied dwelling unit in such multiple dwelling, other than a complaint about an unoccupied dwelling unit in a multiple dwelling owned or operated by the New York city housing authority, 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 conditions on the inspection checklist set forth in subdivision b of this section.

b. 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. Unsecured openings;
2. Inadequate firestopping;
3. Leaks, defective plumbing, and mold;
4. Indications of the presence of any pests;
5. Accumulation of refuse; and
6. Smoke detectors and carbon monoxide detectors.

c. Notice of violation. The department shall issue a notice of violation for any hazardous or immediately hazardous condition observed in an unoccupied dwelling unit inspected pursuant to subdivision a of this section.

d. Publication. The department shall maintain a publicly accessible interface on the website of the department that lists violations issued pursuant to subdivision c of this section.

§ 4. Subdivision a of section 27-2123 of the administrative code of the city of New York is amended to read as follows:

a. A judge of any civil court of competent jurisdiction may, upon appropriate application by the department, or any lawful occupant of the premises or part thereof, supported by an affidavit or affirmation, issue an order directing that access be provided to an officer or inspector of the department to any premises or

part thereof, whenever an inspection of any premises or part therefore is required or authorized by any state or local law or regulation or entry to such area is necessary for correction of a condition violating such law or regulation.

§ 5. This local law takes effect 210 days after it becomes law.

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