



Legislation Text

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By Council Members Nurse, Abreu, Sanchez, Ossé, De La Rosa, Krishnan, Gutiérrez, Stevens, Won, Louis, Hanif, Ayala, Marte, Salaam, Rivera, Brewer, Cabán, Avilés, Restler and Hudson (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to expanding the definition of tenant harassment to include unlawful evictions and expanding the certificate of no harassment program to include unlawful evictions

Be it enacted by the Council as follows:

Section 1. Subparagraph g of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as amended by local law number 15 for the year 2017, is amended and a new subparagraph h is added to read as follows:

g. other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause or are intended to cause such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, including improperly requiring such person to seek, receive or refrain from submitting to medical treatment in violation of subdivision b of section 26-1201[.] ;

h. any conduct in violation of section 26-521.

§ 2. Subdivision b of section 27-2093.1 of the administrative code of the city of New York, as amended by local law number 140 for the year 2021, is amended to read as follows:

b. Pilot program list. The department shall compile and publish a pilot program list. The criteria used to select buildings to be included on the pilot program list shall be promulgated by the department in rules and shall be limited to:

(1) Buildings with scores on the building qualification index indicating significant distress as determined by the department;

(2) (i) Buildings where a full vacate order has been issued by the department or the department of buildings, except where such vacate order was issued due to a fire, or (ii) buildings where there has been active participation in the alternative enforcement program which have been discharged from such program;

(3) Buildings where there has been a final determination by New York state homes and community renewal or any court having jurisdiction that one or more acts of harassment were committed at such building within the 60 months prior to the effective date of the local law that added this section or on or after the effective date of the local law that added this section. The department shall establish a method of identifying buildings where there have been adjudications of harassment after the effective date of the local law that added this section, and may request the cooperation of the tenant harassment prevention task force to establish and effectuate such method. The department shall add a building to the pilot program list within 30 days after it is identified in accordance with such method; [and]

(4) Buildings where an administrator has been discharged under article 7-A of the real property actions and proceedings law unless such building is the subject of a loan provided by or through the department or the New York city housing development corporation for the purpose of rehabilitation, as provided in rules of the department[.]; and

(5) Buildings where an owner has been found by a court or administrative agency to have committed conduct in violation of section 26-521 or section 768 of the real property actions and proceedings law, or been subject to a special proceeding pursuant to subdivision 10 of section 713 of the real property actions and proceedings law regardless of whether a final judgment of possession was awarded against the owner in such action or proceeding.

§ 3. This local law takes effect immediately.

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