



Legislation Text

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Int. No. 1193-A

By Council Members Salaam, Brooks-Powers, Banks, Sanchez, Gennaro, Louis, Fariás, Williams, Feliz, Hanks, Abreu, Ung, Avilés, Schulman, Zhuang, Ayala, Nurse, Hanif, Cabán, Moya, Brannan, Hudson, Narcisse, Riley, Won, Krishnan, Lee, Ossé, Stevens, Bottcher, De La Rosa, Restler, Gutiérrez, Joseph, Brewer, Ariola, Vernikov, Paladino, Morano and the Public Advocate (Mr. Williams)

A Local Law to amend the administrative code of the city of New York, in relation to requiring home improvement contractors to provide information on required permits to owners and requiring public outreach and education on the watch list of contractors performing work without a permit

Be it enacted by the Council as follows:

Section 1. Subchapter 22 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-395.1 to read as follows:

§ 20-395.1. a. Duty to furnish information about permits. Prior to the date of, or on the same date as, the execution of a home improvement contract or an amendment of such contract, a home improvement contractor shall provide a written notice to the owner regarding permits that are required to complete the work specified in such home improvement contract. The owner must sign and date such notice. The home improvement contractor shall disclose whether any permits are foreseeably required to complete the work specified in the home improvement contract, and, if so:

1. Which specific permits are required and who is responsible for obtaining such permits;
2. What actions need to be taken to obtain the required permits, including estimated fees for such permits; and
3. Instructions on how the owner can verify the status of such permits through city databases such as the buildings information system.

b. The department shall develop and publish a template of the written notice required by subdivision a

to be completed by home improvement contractors prior to the effective date of the local law that added this section.

c. Outreach. Over a 1 year period beginning on the effective date of the local law that added this section, the department shall conduct outreach and education to all home improvement contractors to increase awareness of section 20-395.1. Educational materials distributed pursuant to this section shall be in plain language and made available in all the designated citywide languages, as defined in section 23-1101 of this code. Such educational materials shall also be available on the department's website.

d. Penalties. Any home improvement contractor who violates subdivision a of this section shall be subject to a civil penalty of not more than \$500 for each such violation.

§ 2. Subdivision 1 of section 20-401 of the administrative code of the city of New York, as added by local law number 24 for the year 1996, is amended to read as follows:

1. a. Any person who shall own, conduct or operate a home improvement business without a license therefor or who shall knowingly violate any of the provisions of this subchapter or any rules promulgated thereunder, with the exception of violations referred to in sections 20-395.1 and 20-396 of this subchapter, or having had his or her license suspended or revoked shall continue to engage in such business, shall be guilty of a misdemeanor, and upon conviction, shall be punishable by imprisonment for not more than six months, or by a fine of not more than one thousand dollars, or both such fine and imprisonment, and each such violation shall be deemed a separate offense.

§ 3. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-103.38 to read as follows:

**§ 28-103.38 Outreach and education for the watch list of contractors performing work without the required permit.** The department shall conduct education and outreach to increase awareness of section 28-213.5, which requires the department to compile a watch list of contractors who have been found to have performed work without a required permit. Educational materials distributed pursuant to this section shall be in plain language and made available in all of the designated citywide languages, as defined in section 23-1101 of this code. Such educational materials shall also be available on the department's website.

§ 4. This local law takes effect 180 days after it becomes law.

LMH

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