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Res. No. 209

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.9802/S.8783, in relation to establishing a program to address the legalization of specified accessory dwelling units in a city with a population of one million or more

By Council Members Hanif, Krishnan, Louis and the Public Advocate (Mr. Williams)

Whereas, According to recent news reports, tens of thousands of New Yorkers are estimated to be living illegally in basement apartments; and

Whereas, Many tenants in unsafe basement apartments are vulnerable due to the impacts of extreme weather; and

Whereas, The City, an online publication, reported on September 3, 2021 that at least 11 people drowned, the youngest being two years old, in basement apartments located in Queens and Brooklyn due to flooding conditions from a historic storm; and

Whereas, A pathway is needed to transform basement apartments into safe, legal and affordable housing; and

Whereas, A.9802, sponsored by Assembly Member Harvey Epstein in the New York State Assembly, and companion bill S.8783, introduced by State Senator Brian Kavanagh in the New York State Senate, creates a pathway to convert illegal basement units, in-law units, and other secondary units into accessory dwelling units; and

Whereas, A.9802/S.8783 allows for the City of New York to create an amnesty program that could exempt property owners that had accessory dwelling unit before the enactment of this law; and

Whereas, A.9802/S.8783 the permit application to create an accessory unit will also include a certificate

that the unit was rented to a tenant and the rent amount; and

Whereas, A.9802/S.8783, helps property owners' clear regulatory hurdles like certain regulations set in the Multiple Dwelling Law or floor area restrictions that prevent accessory dwelling units from becoming legal; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.9802/S.8783, in relation to establishing a program to address the legalization of specified accessory dwelling units in a city with a population of one million or more.

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