File #: Int 0823-2026, **Version:** *

Int. No. 823

By Council Members Marte, Louis, Maloney and Morano

A Local Law to amend the administrative code of the city of New York, in relation to requiring agencies that issue vacate orders to provide documentation of vacate orders to affected occupants upon request

Be it enacted by the Council as follows:

Section 1. Section 15-227 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. 1. After issuance of an order to vacate a building, structure or part thereof pursuant to subdivision b of this section, the commissioner shall allow any occupant who was required to vacate the building or structure as a result of such order to request documentation of the order to vacate. Such documentation shall contain, at a minimum:

(a) The address of the building or structure;

(b) The date the order to vacate was issued;

(c) The reason the order to vacate was issued; and

(d) If applicable, the date the order to vacate was rescinded.

2. The commissioner shall allow requests for documentation of an order to vacate to be submitted through the department's website, by mail, and in any other manner determined by the commissioner. The commissioner shall provide the requested documentation within 14 days of receipt of the request. If the request lacks necessary information, the commissioner shall respond within 14 days of receipt of the request with an explanation of what specific information must be provided.

§ 2. Section 17-159 of the administrative code of the city of New York is amended to read as follows:

§17-159 Infected and uninhabitable houses; vacation orders. a. Whenever it shall be certified to the department by an officer or inspector of the department that any building or any part thereof in the city is infected with communicable disease, or by reason of want of repair has become dangerous to life or is unfit for human habitation because of defects in drainage, plumbing, ventilation, or the construction of the same, or because of the existence of a nuisance on the premises which is likely to cause sickness among its occupants, the department may issue an order requiring all persons therein to vacate such building or part thereof for the reasons to be stated therein. The department shall cause such order to be affixed conspicuously in such building or part thereof and to be personally served on the owner, lessee, agent, occupant, or any person having the charge or care thereof. If the owner, lessee or agent can not be found in the city or does not reside therein, or evades or resists service, then such order may be served by depositing a copy thereof in the post-office in the city, properly enclosed and addressed to such owner, lessee or agent, at his or her last known place of business and residence, and prepaying the postage thereon; such building or part thereof within ten days after such order shall have been so posted and mailed, or within such shorter time, not less than twenty-four hours, as in such order may be specified, shall be vacated, but the department whenever it shall become satisfied that the danger from such building or part thereof has ceased to exist, or that such building has been repaired so as to be habitable, may revoke such order.

b. 1. After the issuance of any order to vacate a building or part thereof pursuant to subdivision a of this section, the department shall allow any occupant who was required to vacate the building as a result of such order to request documentation of the order to vacate. Such documentation shall contain, at a minimum:

(a) The address of the building;

(b) The date the order to vacate was issued;

(c) The reason the order to vacate was issued; and

(d) If applicable, the date the order to vacate was revoked.

2. The department shall allow requests for documentation of an order to vacate to be submitted through

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the department's website, by mail, and in any other manner determined by the department. The department shall provide the requested documentation within 14 days of receipt of the request. If the request lacks necessary information, the department shall respond within 14 days of receipt of the request with an explanation of what specific information must be provided.

§3. Section 27-2141 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. 1. After the issuance of any vacate order pursuant to subdivision b of section 27-2139, the department shall allow any occupant who was required to vacate the dwelling as a result of such order to request documentation of the vacate order. Such documentation shall contain, at a minimum:

(a) The address of the dwelling;

(b) The date the vacate order was issued;

(c) The reason the vacate order was issued; and

(d) If applicable, the date the vacate order was revoked.

2. The department shall allow requests for documentation of a vacate order to be submitted through the department's website, by mail, and in any other manner determined by the department. The department shall provide the requested documentation within 14 days of receipt of the request. If the request lacks necessary information, the department shall respond within 14 days of receipt of the request with an explanation of what specific information must be provided.

§4. Article 207 of chapter 2 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-207.4.7 to read as follows:

§28-207.4.7 Documentation of vacate order. After the issuance of any vacate order pursuant to section 28-207.4, the commissioner shall allow any occupant who was required to vacate the building, structure, place or premises as a result of such order to request documentation of the vacate order. The commissioner shall allow requests for documentation of an order to vacate to be submitted through the department's website, by mail, and in any other manner determined by the commissioner. The commissioner shall provide the requested documentation within 14 days of receipt of the request. If the request lacks necessary information, the commissioner shall respond within 14 days of receipt of the request with an explanation of what specific

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information must be provided. Documentation of a vacate order shall contain, at a minimum:

1. The address of the building, structure, place or premises;

2. The date the vacate order was issued;

3. The reason the vacate order was issued; and

4. If applicable, the date the vacate order was revoked.

§5. This local law takes effect 60 days after it becomes law.

DPM
LS #15870
Int. #1031-2024
1/7/2026 2:43PM