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Int. No. 1011

By Council Members Mealy, Louis, Schulman and Maloney

A Local Law to amend the administrative code of the city of New York, in relation to evictions of older adult tenants

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 40 to read as follows:

CHAPTER 40

EVICTIONS OF OLDER ADULT TENANTS

§26-4001 Definitions. As used in this chapter, the following terms have the following meanings:

Commissioner. The term "commissioner" means the commissioner of housing preservation and development.

Department. The term "department" means the department of housing preservation and development.

Dwelling unit. The term "dwelling unit" has the same meaning as in the housing maintenance code.

Older adult. The term "older adult" means a person 60 years of age or older.

Older adult occupant. The term "older adult occupant" means, with respect to a dwelling unit, a person who is (i) an older adult or the spouse or domestic partner of an older adult and (ii) entitled to the possession or use and occupancy of such unit.

Owner. The term "owner" has the same meaning as in the housing maintenance code.

§ 26-4002 Notification requirement. On or before the day on which an owner serves a petition or notice of petition for a summary proceeding to recover possession of a dwelling unit, pursuant to article 7 of the real

property actions and proceedings law, upon an older adult occupant of such unit, the owner shall provide notification to the department of the name, address and phone number of the older adult occupant. Such notification shall be in a form and manner determined by the department.

§ 26-4003 Tenant assistance. Upon receiving a notice pursuant to section 26-4002, the department shall provide to the older adult occupant identified on the notice a list of persons that may provide legal services to older adult tenants, including low-income older adult tenants, or that may assist such tenants in obtaining legal services.

§ 26-4004 Reporting. The commissioner, in conjunction with the commissioner of the commission on human rights, shall analyze the information received pursuant to section 26-4002 and shall, by no later than July first in each year, electronically submit to the mayor and the speaker of the council, and make publicly available on the department's website, a report regarding the findings of such analysis including, but not limited to, any trends identified in evictions of older adult tenants and any finding or pattern of discrimination against older adult tenants with respect to eviction.

§ 26-4005 Violations. Any person who violates section 26-4002 shall be guilty of a class A misdemeanor.

§ 2. This local law takes effect 120 days after it becomes law.

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