

STATE OF NEW YORK

3180

2017-2018 Regular Sessions

IN SENATE

January 20, 2017

Introduced by Sens. KRUEGER, HAMILTON, HOYLMAN, MONTGOMERY, PERKINS --
read twice and ordered printed, and when printed to be committed to
the Committee on Housing, Construction and Community Development

AN ACT to amend the administrative code of the city of New York and the
emergency tenant protection act of nineteen seventy-four, in relation
to housing unit fees

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision a of section 26-517.1 of the administrative
2 code of the city of New York, as added by local law number 95 of the
3 city of New York for the year 1985, is amended to read as follows:

4 a. The [~~Department~~] department of [~~Finance~~] finance shall collect from
5 the owner of each housing accommodation registered pursuant to [~~Section~~]
6 section 26-517 of this [~~law~~] chapter an annual fee in the amount of
7 [~~ten~~] thirty dollars per year for each unit subject to this law, in
8 order to defray costs incurred by the city pursuant to subdivision c of
9 section eight of the emergency tenant protection act of nineteen hundred
10 seventy-four.

11 § 2. Subdivisions c and d of section 8 of section 4 of chapter 576 of
12 the laws of 1974 constituting the emergency tenant protection act of
13 nineteen seventy-four, subdivision c as amended by section 5 of part Z
14 of chapter 56 of the laws of 2010 and subdivision d as amended by chap-
15 ter 116 of the laws of 1997, are amended to read as follows:

16 c. Whenever a city having a population of one million or more has
17 determined the existence of an emergency pursuant to section three of
18 this act, the provisions of this act and the New York city rent stabili-
19 zation law of nineteen hundred sixty-nine shall be administered by the
20 state division of housing and community renewal as provided in the New
21 York city rent stabilization law of nineteen hundred sixty-nine, as
22 amended, or as otherwise provided by law. The costs incurred by the
23 state division of housing and community renewal in administering such

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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1 regulation shall be paid by such city. All payments for such adminis-
2 tration shall be transmitted to the state division of housing and commu-
3 nity renewal as follows: on or after April first of each year commencing
4 with April, nineteen hundred eighty-four, the commissioner of housing
5 and community renewal shall determine an amount necessary to defray the
6 division's anticipated annual cost, and one-quarter of such amount shall
7 be paid by such city on or before July first of such year, one-quarter
8 of such amount on or before October first of such year, one-quarter of
9 such amount on or before January first of the following year and one-
10 quarter of such amount on or before March thirty-first of the following
11 year. After the close of the fiscal year of the state, the commissioner
12 shall determine the amount of all actual costs incurred in such fiscal
13 year and shall certify such amount to such city. If such certified
14 amount shall differ from the amount paid by the city for such fiscal
15 year, appropriate adjustments shall be made in the next quarterly
16 payment to be made by such city. In the event that the amount thereof is
17 not paid to the commissioner as herein prescribed, the commissioner
18 shall certify the unpaid amount to the comptroller, and the comptroller
19 shall, to the extent not otherwise prohibited by law, withhold such
20 amount from any state aid payable to such city. In no event shall the
21 amount imposed on the owners exceed [~~ten~~] thirty dollars per unit per
22 year.

23 d. The failure to pay the prescribed assessment not to exceed [~~ten~~]
24 thirty dollars per unit for any housing accommodation subject to this
25 act or the New York city rent stabilization law of nineteen hundred
26 sixty-nine shall constitute a charge due and owing such city, town or
27 village which has imposed an annual charge for each such housing accom-
28 modation pursuant to subdivision b of this section. Any such city, town
29 or village shall be authorized to provide for the enforcement of the
30 collection of such charges by commencing an action or proceeding for the
31 recovery of such fees or by the filing of a lien upon the building and
32 lot. Such methods for the enforcement of the collection of such charges
33 shall be the sole remedy for the enforcement of this section.

34 § 3. The increased revenues payable each year to the commissioner of
35 the state division of housing and community renewal pursuant to this act
36 shall be divided equally by the commissioner between the office of rent
37 administration and the office of the tenant protection unit within the
38 division of housing and the community renewal and shall be utilized by
39 the commissioner in addition to and not in substitution for the levels
40 of funding from all sources provided to the office of rent adminis-
41 tration and the office of the tenant protection unit on the effective
42 date of this act.

43 § 4. This act shall take effect immediately; provided that the amend-
44 ments to section 26-517.1 of chapter 4 of title 26 of the administrative
45 code of the city of New York made by section one of this act shall
46 expire on the same date as such law expires and shall not affect the
47 expiration of such law as provided under section 26-520 of such law; and
48 provided further that the amendments to section 8 of the emergency
49 tenant protection act of nineteen seventy-four made by section two of
50 this act shall expire on the same date as such act expires and shall not
51 affect the expiration of such act as provided in section 17 of chapter
52 576 of the laws of 1974.