

STATE OF NEW YORK

6828

2017-2018 Regular Sessions

IN SENATE

June 21, 2017

Introduced by Sens. DILAN, SQUADRON -- read twice and ordered printed,
and when printed to be committed to the Committee on Rules

AN ACT to amend the multiple dwelling law, in relation to interim multiple dwellings

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

1 Section 1. Subdivision 5 of section 281 of the multiple dwelling law,
2 as amended by chapter 4 of the laws of 2013, is amended to read as
3 follows:

4 5. (a) Notwithstanding the provisions of paragraphs (i), (iii) and
5 (iv) of subdivision two of this section, but subject to paragraphs (i)
6 and (ii) of subdivision one of this section and paragraph (ii) of subdivision
7 two of this section, the term "interim multiple dwelling" shall
8 include buildings, structures or portions thereof that are located in a
9 city of more than one million persons which were occupied for residential
10 purposes as the residence or home of any three or more families
11 living independently from one another for a period of twelve consecutive
12 months during the period commencing January first, two thousand eight,
13 and ending December thirty-first, two thousand nine, provided that the
14 unit seeking coverage: is not located in a [~~basement or~~] cellar and has
15 at least one entrance that does not require passage through another
16 residential unit to obtain access to the unit, [~~has at least one window~~
17 ~~opening onto a street or a lawful yard or court as defined in the zoning~~
18 ~~resolution for such municipality,~~] and is at least four hundred square
19 feet in area.

20 (b) The term "interim multiple dwelling" as used in this subdivision
21 shall not include [~~(i)~~] any building in an industrial business zone
22 established pursuant to chapter six-D of title twenty-two of the administrative
23 code of the city of New York except that a building in the
24 Williamsburg/Greenpoint or North Brooklyn industrial business zones and
25 a building located in that portion of the Long Island city industrial

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

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1 business zone that has frontage on either side of forty-seventh avenue
2 or is located north of forty-seventh avenue and south of Skillman avenue
3 or in that portion of the Long Island city industrial business zone that
4 is located north of forty-fourth drive, south of Queens plaza north, and
5 west of twenty-third street may be included in the term "interim multi-
6 ple dwelling," or (ii) units in any building, other than a building that
7 is already defined as an "interim multiple dwelling" pursuant to subdi-
8 vision one, two, three or four of this section, that, at the time this
9 subdivision shall take effect and continuing at the time of the
10 submission of an application for coverage by any party, also contains a
11 use actively and currently pursued, which use is set forth in use
12 [~~groups fifteen through~~] group eighteen, as described in the zoning
13 resolution of such municipality in effect on June twenty-first, two
14 thousand ten, and which the loft board has determined in rules and regu-
15 lation is inherently incompatible with residential use in the same
16 building, provided that the loft board may by rule exempt categories of
17 units or buildings from such use incompatibility determinations includ-
18 ing but not limited to residentially occupied units or subcategories of
19 such units, and provided, further that if a building does not contain
20 such active uses at the time this subdivision takes effect, no subse-
21 quent use by the owner of the building shall eliminate the protections
22 of this section for any residential occupants in the building already
23 qualified for such protections.

24 (c) The term "interim multiple dwelling," as used in this subdivision
25 shall also include buildings, structures or portions thereof that are
26 located north of West 24th Street and south of West 27th Street and west
27 of tenth avenue and east of eleventh avenue in a city of more than one
28 million persons which were occupied for residential purposes as the
29 residence or home of any two or more families living independently from
30 one another for a period of twelve consecutive months during the period
31 commencing January first, two thousand eight, and ending December thir-
32 ty-first, two thousand nine and subject to all the conditions and limi-
33 tations of this subdivision other than the number of units in the build-
34 ing. A reduction in the number of occupied residential units in a
35 building after meeting the aforementioned twelve consecutive month
36 requirement shall not eliminate the protections of this section for any
37 remaining residential occupants qualified for such protections. Non-re-
38 sidential space in a building as of the effective date of this subdivi-
39 sion shall be offered for residential use only after the obtaining of a
40 residential certificate of occupancy for such space and such space shall
41 be exempt from this article, even if a portion of such building may be
42 an interim multiple dwelling.

43 § 2. Subdivision 5 of section 281 of the multiple dwelling law, as
44 amended by chapter 139 of the laws of 2011, is amended to read as
45 follows:

46 5. (a) Notwithstanding the provisions of paragraphs (i), (iii) and
47 (iv) of subdivision two of this section, but subject to paragraphs (i)
48 and (ii) of subdivision one of this section and paragraph (ii) of subdivi-
49 sion two of this section, the term "interim multiple dwelling" shall
50 include buildings, structures or portions thereof that are located in a
51 city of more than one million persons which were occupied for residen-
52 tial purposes as the residence or home of any three or more families
53 living independently from one another for a period of twelve consecutive
54 months during the period commencing January first, two thousand eight,
55 and ending December thirty-first, two thousand nine, provided that the
56 unit seeking coverage: is not located in a [~~basement or~~] cellar and has

1 at least one entrance that does not require passage through another
2 residential unit to obtain access to the unit, [~~has at least one window~~
3 ~~opening onto a street or a lawful yard or court as defined in the zoning~~
4 ~~resolution for such municipality,~~] and is at least five hundred fifty
5 square feet in area. (b) The term "interim multiple dwelling" as used
6 in this subdivision shall not include [~~(i)~~] any building in an indus-
7 trial business zone established pursuant to chapter six-D of title twen-
8 ty-two of the administrative code of the city of New York except that a
9 building in the Williamsburg/Greenpoint or North Brooklyn industrial
10 business zones and a building located in that portion of the Long Island
11 city industrial business zone that has frontage on either side of
12 forty-seventh avenue or is located north of forty-seventh avenue and
13 south of Skillman avenue or in that portion of the Long Island city
14 industrial business zone that is located north of forty-fourth drive,
15 south of Queens plaza north, and west of twenty-third street may be
16 included in the term "interim multiple dwelling," or (ii) units in any
17 building, other than a building that is already defined as an "interim
18 multiple dwelling" pursuant to subdivision one, two, three or four of
19 this section, that, at the time this subdivision shall take effect and
20 continuing at the time of the submission of an application for coverage
21 by any party, also contains a use actively and currently pursued, which
22 use is set forth in use [~~groups fifteen through~~] group eighteen, as
23 described in the zoning resolution of such municipality in effect on
24 June twenty-first, two thousand ten, and which the loft board has deter-
25 mined in rules and regulation is inherently incompatible with residen-
26 tial use in the same building, provided that the loft board may by rule
27 exempt categories of units or buildings from such use incompatibility
28 determinations including but not limited to residentially occupied units
29 or subcategories of such units, and provided, further that if a building
30 does not contain such active uses at the time this subdivision takes
31 effect, no subsequent use by the owner of the building shall eliminate
32 the protections of this section for any residential occupants in the
33 building already qualified for such protections. (c) The term "interim
34 multiple dwelling," as used in this subdivision shall also include
35 buildings, structures or portions thereof that are located north of West
36 24th Street and south of West 27th Street and west of tenth avenue and
37 east of eleventh avenue in a city of more than one million persons which
38 were occupied for residential purposes as the residence or home of any
39 two or more families living independently from one another for a period
40 of twelve consecutive months during the period commencing January first,
41 two thousand eight, and ending December thirty-first, two thousand nine
42 and subject to all the conditions and limitations of this subdivision
43 other than the number of units in the building. A reduction in the
44 number of occupied residential units in a building after meeting the
45 aforementioned twelve consecutive month requirement shall not eliminate
46 the protections of this section for any remaining residential occupants
47 qualified for such protections. Non-residential space in a building as
48 of the effective date of this subdivision shall be offered for residen-
49 tial use only after the obtaining of a residential certificate of occu-
50 pancy for such space and such space shall be exempt from this article,
51 even if a portion of such building may be an interim multiple dwelling.

52 § 3. Section 281 of the multiple dwelling law is amended by adding a
53 new subdivision 6 to read as follows:

54 6. (a) Notwithstanding the provisions of paragraphs (i), (iii) and
55 (iv) of subdivision two of this section, but subject to paragraphs (i)
56 and (ii) of subdivision one of this section and paragraph (ii) of subdi-

1 vision two of this section, the term "interim multiple dwelling" shall
2 include buildings, structures or portions thereof that are located in a
3 city of more than one million persons which were occupied for residen-
4 tial purposes as the residence or home of any three or more families
5 living independently from one another for a period of twelve consecutive
6 months during the period commencing January first, two thousand fifteen,
7 and ending December thirty-first, two thousand sixteen, provided that
8 the unit seeking coverage: is not located in a cellar and has at least
9 one entrance that does not require passage through another residential
10 unit to obtain access to the unit, and is at least four hundred square
11 feet in area.

12 (b) The term "interim multiple dwelling" as used in this subdivision
13 shall not include (i) any building in an industrial business zone estab-
14 lished pursuant to chapter six-D of title twenty-two of the administra-
15 tive code of the city of New York except that a building in the
16 Williamsburg/Greenpoint or North Brooklyn industrial business zones and
17 a building located in that portion of the Long Island city industrial
18 business zone that has frontage on either side of forty-seventh avenue
19 or is located north of forty-seventh avenue and south of Skillman avenue
20 or in that portion of the Long Island city industrial business zone that
21 is located north of forty-fourth drive, south of Queens plaza north, and
22 west of twenty-third street may be included in the term "interim multi-
23 ple dwelling", or (ii) units in any building, other than a building that
24 is already defined as an "interim multiple dwelling" pursuant to subdivi-
25 sion one, two, three or four of this section, that, at the time this
26 subdivision shall take effect and continuing at the time of the
27 submission of an application for coverage by any party, also contains a
28 use actively and currently pursued, which use is set forth in use group
29 eighteen, as described in the zoning resolution of such municipality in
30 effect on June twenty-first, two thousand ten, and which the loft board
31 has determined in rules and regulation is inherently incompatible with
32 residential use in the same building, provided that the loft board may
33 by rule exempt categories of units or buildings from such use incompat-
34 ibility determinations including but not limited to residentially occu-
35 piated units or subcategories of such units, and provided, further that if
36 a building does not contain such active uses at the time this subdivi-
37 sion takes effect, no subsequent use by the owner of the building shall
38 eliminate the protections of this section for any residential occupants
39 in the building already qualified for such protections.

40 (c) The term "interim multiple dwelling", as used in this subdivision
41 shall also include buildings, structures or portions thereof that are
42 located north of West 24th Street and south of West 27th Street and west
43 of tenth avenue and east of eleventh avenue in a city of more than one
44 million persons which were occupied for residential purposes as the
45 residence or home of any two or more families living independently from
46 one another for a period of twelve consecutive months during the period
47 commencing January first, two thousand fifteen, and ending December
48 thirty-first, two thousand sixteen and subject to all the conditions and
49 limitations of this subdivision other than the number of units in the
50 building. A reduction in the number of occupied residential units in a
51 building after meeting the aforementioned twelve consecutive month
52 requirement shall not eliminate the protections of this section for any
53 remaining residential occupants qualified for such protections. Non-re-
54 sidential space in a building as of the effective date of this subdivi-
55 sion shall be offered for residential use only after the obtaining of a
56 residential certificate of occupancy for such space and such space shall

1 be exempt from this article, even if a portion of such building may be
2 an interim multiple dwelling.

3 § 4. Section 282 of the multiple dwelling law, as amended by chapter
4 147 of the laws of 2010, is amended to read as follows:

5 § 282. Establishment of special loft unit. (1) In order to resolve
6 complaints of owners of interim multiple dwellings and of residential
7 occupants of such buildings qualified for the protection of this arti-
8 cle, and to act upon hardship applications made pursuant to this arti-
9 cle, a special loft unit referred to herein as the "loft board" shall be
10 established which shall consist of from four to nine members represen-
11 tative of the public, the real estate industry, loft residential
12 tenants, [~~and loft manufacturing interests,~~] and a chairperson, all to
13 be appointed by the mayor of the municipality and to serve such terms as
14 he may designate. The compensation of the members of the loft board
15 shall be fixed by the mayor. The members of the loft board shall not be
16 considered employees of the state or the municipality, provided, howev-
17 er, that state or municipal employees or officers may be named to the
18 loft board. The mayor shall establish the loft board within ninety days
19 of the effective date of chapter three hundred forty-nine of the laws of
20 nineteen hundred eighty-two. The loft board shall have such office and
21 staff as shall be necessary to carry out functions conferred upon it and
22 may request and receive assistance from any state or municipal agency or
23 department. The loft board shall have the following duties: [~~(a)~~] (i)
24 the determination of interim multiple dwelling status and other issues
25 of coverage pursuant to this article; [~~(b)~~] (ii) the resolution of all
26 hardship appeals brought under this article; [~~(c)~~] (iii) the determi-
27 nation of any claim for rent adjustment under this article by an owner
28 or tenant; [~~(d)~~] (iv) the issuance, after a public hearing, and the
29 enforcement of rules and regulations governing minimum housing mainte-
30 nance standards in interim multiple dwellings (subject to the provisions
31 of this chapter and any local building code), rent adjustments prior to
32 legalization, compliance with this article and the hearing of complaints
33 and applications made to it pursuant to this article; and [~~(e)~~] (v)
34 determination of controversies arising over the fair market value of a
35 residential tenant's fixtures or reasonable moving expenses.

36 (2) The violation of any rule or regulation promulgated by the loft
37 board shall be punishable by a civil penalty determined by the loft
38 board not to exceed [~~seventeen thousand five hundred~~] twenty-five thou-
39 sand dollars which may be recovered by the municipality by a proceeding
40 in any court of competent jurisdiction. The corporation counsel may
41 bring and maintain a civil proceeding in the name of the city in the
42 supreme court of the county in which the building, erection or place is
43 located to enjoin violations of this article. The loft board may desig-
44 nate provisions of such rules and regulations for enforcement in
45 proceedings before the environmental control board of such municipality.
46 Notices of violation returnable to such environmental control board may
47 be issued by officers and employees of the department of buildings of
48 such municipality and served in the same manner as violations returnable
49 to such board within the jurisdiction of such department. The environ-
50 mental control board, when acting as the designee of the loft board,
51 shall have the power to impose civil penalties, not to exceed [~~seven-~~
52 ~~teen~~] twenty-five thousand [~~five hundred~~] dollars for each violation,
53 and to issue judgments, which may be docketed and enforced as set forth
54 in section one thousand forty-nine-a of the New York city charter.

55 (3) The loft board may charge and collect reasonable fees in the
56 execution of its responsibilities. The loft board may administer oaths,

1 take affidavits, hear testimony, and take proof under oath at public or
2 private hearings.

3 § 5. Section 282-a of the multiple dwelling law, as amended by section
4 22 of part A of chapter 20 of the laws of 2015, is amended to read as
5 follows:

6 § 282-a. Applications for coverage of interim multiple dwellings and
7 residential units. ~~1. All applications for registration as an interim
8 multiple dwelling or for coverage of residential units under this arti-
9 cle shall be filed with the loft board within six months after the date
10 the loft board shall have adopted all rules or regulations necessary in
11 order to implement the provisions of chapter one hundred forty seven of
12 the laws of two thousand ten, provided, however, that applications for
13 registration as an interim multiple dwelling or for coverage of residen-
14 tial units under this article may also be filed for a two-year period
15 starting from the effective date of the chapter of the laws of two thou-
16 sand fifteen which amended this section. The loft board may subsequently
17 amend such rules and regulations but such amendments shall not recom-
18 mence the time period in which applications may be filed.~~

19 ~~2.]~~ Where any occupant has filed an application for coverage pursuant
20 to this article and has received a docket number from the loft board, it
21 shall be unlawful for an owner to cause or intend to cause such occupant
22 to vacate, surrender or waive any rights in relation to such occupancy,
23 due to repeated interruptions or discontinuances of essential services,
24 or an interruption or discontinuance of an essential service for an
25 extended duration or of such significance as to substantially impair
26 habitability of such unit, at any time before the loft board has made a
27 final determination, including appeals, to approve or deny such applica-
28 tion. This section shall not grant any rights of continued occupancy
29 other than those otherwise granted by law. Any agreement that waives or
30 limits the benefits of this section shall be deemed void as against
31 public policy. In addition to any other remedies provided in this arti-
32 cle for failure to be in compliance, in article eight of this chapter,
33 or in the regulations promulgated by the loft board, an occupant who has
34 filed an application with the loft board for coverage under this article
35 may commence an action or proceeding in a court of competent jurisdic-
36 tion, which notwithstanding any other provision of law shall include the
37 housing part of the New York city civil court, to enforce the provisions
38 of this section.

39 § 6. Paragraph (vi) of subdivision 1 of section 284 of the multiple
40 dwelling law, as amended by section 22-a of part A of chapter 20 of the
41 laws of 2015, is amended to read as follows:

42 (vi) Notwithstanding the provisions of paragraphs (i) through (v) of
43 this subdivision the owner of an interim multiple dwelling made subject
44 to this article by subdivision five of section two hundred eighty-one of
45 this article (A) shall file an alteration application on or before March
46 twenty-first, two thousand eleven, or, for units that became subject to
47 this article pursuant to chapter four of the laws of two thousand thir-
48 teen on or before June eleventh, two thousand fourteen, or, for units
49 that became subject to this article pursuant to the chapter of the laws
50 of two thousand seventeen that amended this paragraph within nine months
51 from such effective date, or for units in an interim multiple dwelling
52 that were listed on an application for coverage or registration filed
53 with the loft board pursuant to this article or in a court pleading
54 after March eleventh, two thousand fourteen, within nine months of
55 either the date of the initial application for coverage or the date of
56 the loft board's issuance of an interim multiple dwelling number or the

1 date of the service of the pleading, whichever is earlier, and (B) shall
2 take all reasonable and necessary action to obtain an approved alter-
3 ation permit on or before June twenty-first, two thousand eleven, or,
4 for units that became subject to this article pursuant to chapter four
5 of the laws of two thousand thirteen on or before September eleventh,
6 two thousand fourteen, or, for units that became subject to this article
7 pursuant to the chapter of the laws of two thousand seventeen that
8 amended this paragraph within twelve months from such effective date, or
9 for units in an interim multiple dwelling that were listed on an appli-
10 cation for coverage or registration filed with the loft board pursuant
11 to this article or in a court pleading after March eleventh, two thou-
12 sand fourteen, within twelve months of either the date of the initial
13 application for coverage or the date of the loft board's issuance of an
14 interim multiple dwelling number or the date of the service of the
15 pleading, whichever is earlier, and (C) shall achieve compliance with
16 the standards of safety and fire protection set forth in article seven-B
17 of this chapter for the residential portions of the building within
18 eighteen months from obtaining such alteration permit, and (D) shall
19 take all reasonable and necessary action to obtain a certificate of
20 occupancy as a class A multiple dwelling for the residential portions of
21 the building or structure on or before December twenty-first, two thou-
22 sand twelve, or for units that became subject to this article pursuant
23 to chapter four of the laws of two thousand thirteen on or before March
24 eleventh, two thousand sixteen, or, for units that became subject to
25 this article pursuant to the chapter of the laws of two thousand seven-
26 teen that amended this paragraph within thirty-six months from such
27 effective date, or for units in an interim multiple dwelling that were
28 listed on an application for coverage or registration filed with the
29 loft board pursuant to this article or in a court pleading after March
30 eleventh, two thousand sixteen, within thirty months of either the date
31 of the initial application for coverage or the date of the loft board's
32 issuance of an interim multiple dwelling number or the date of the
33 service of the pleading, whichever is earlier. The loft board may, upon
34 good cause shown, and upon proof of compliance with the standards of
35 safety and fire protection set forth in article seven-B of this chapter,
36 twice extend the time of compliance with the requirement to obtain a
37 residential certificate of occupancy for periods not to exceed twelve
38 months each.

39 § 7. Paragraph (vi) of subdivision 1 of section 284 of the multiple
40 dwelling law, as amended by chapter 135 of the laws of 2010, is amended
41 to read as follows:

42 (vi) Notwithstanding the provisions of paragraphs (i) through (v) of
43 this subdivision the owner of an interim multiple dwelling made subject
44 to this article by subdivision five of section two hundred eighty-one of
45 this article (A) shall file an alteration application within nine months
46 from the effective date of [~~the~~] chapter one hundred thirty-five of the
47 laws of two thousand ten [~~which amended this subparagraph~~], or for units
48 that became subject to this article pursuant to the chapter of the laws
49 of two thousand seventeen that amended this paragraph within nine months
50 from such effective date, and (B) shall take all reasonable and neces-
51 sary action to obtain an approved alteration permit within twelve months
52 from such effective date, or for units that became subject to this arti-
53 cle pursuant to the chapter of the laws of two thousand seventeen that
54 amended this paragraph within twelve months from such effective date,
55 and (C) shall achieve compliance with the standards of safety and fire
56 protection set forth in article seven-B of this chapter for the residen-

1 tial portions of the building within eighteen months from obtaining such
2 alteration permit or eighteen months from such effective date, whichever
3 is later, and (D) shall take all reasonable and necessary action to
4 obtain a certificate of occupancy as a class A multiple dwelling for the
5 residential portions of the building or structure within thirty-six
6 months from such effective date, or for units that became subject to
7 this article pursuant to the chapter of the laws of two thousand seven-
8 teen that amended this paragraph within thirty-six months from such
9 effective date. The loft board may, upon good cause shown, and upon
10 proof of compliance with the standards of safety and fire protection set
11 forth in article seven-B of this chapter, twice extend the time of
12 compliance with the requirement to obtain a residential certificate of
13 occupancy for periods not to exceed twelve months each.

14 § 8. Paragraphs (vii), (viii), (ix), (x) and (xi) of subdivision 1 and
15 subdivision 2 of section 284 of the multiple dwelling law, paragraphs
16 (vii), (viii), (ix), (x) and (xi) of subdivision 1 as amended by chapter
17 135 of the laws of 2010 and subdivision 2 as added by chapter 349 of the
18 laws of 1982, are amended to read as follows:

19 (vii) Notwithstanding the provisions of paragraphs (i) through (vi) of
20 this subdivision the owner of an interim multiple dwelling made subject
21 to this article by subdivision six of section two hundred eighty-one of
22 this article (A) shall file an alteration application within nine months
23 from the effective date of the chapter of the laws of two thousand
24 seventeen that amended this paragraph, and (B) shall take all reasonable
25 and necessary action to obtain an approved alteration permit within
26 twelve months from such effective date, and (C) shall achieve compliance
27 with the standards of safety and fire protection set forth in article
28 seven-B of this chapter for the residential portions of the building
29 within eighteen months from obtaining such alteration permit or eighteen
30 months from such effective date, whichever is later, and (D) shall take
31 all reasonable and necessary action to obtain a certificate of occupancy
32 as a class A multiple dwelling for the residential portions of the
33 building or structure within thirty-six months from such effective date.
34 The loft board may, upon good cause shown, and upon proof of compliance
35 with the standards of safety and fire protection set forth in article
36 seven-B of this chapter, twice extend the time of compliance with the
37 requirement to obtain a residential certificate of occupancy for periods
38 not to exceed twelve months each.

39 (viii) An owner who is unable to satisfy any requirement specified in
40 paragraph (ii), (iii), (iv), (v), or (vi) of this subdivision for
41 reasons beyond his/her control, including, but not limited to, a
42 requirement to obtain a certificate of appropriateness for modification
43 of a landmarked building, a need to obtain a variance from a board of
44 standards and appeals, or the denial of reasonable access to a residen-
45 tial unit as required by paragraph ~~(xi)~~ (xii) of this subdivision, may
46 apply to the loft board for an extension of time to meet the requirement
47 specified in paragraph (ii), (iii), (iv), (v), or (vi) of this subdivi-
48 sion. The loft board may grant an extension of time to meet a require-
49 ment specified in paragraph (ii), (iii), (iv), (v), or (vi) of this
50 subdivision provided that the owner demonstrates that he/she has made
51 good faith efforts to satisfy the requirements.

52 ~~(viii)~~ (ix) If there is a finding by the loft board that an owner
53 has failed to satisfy any requirement specified in paragraph (i), (ii),
54 (iii), (iv), (v), or (vi) of this subdivision, such owner shall be
55 subject to all penalties set forth in article eight of this chapter.

1 ~~[(ix)]~~ (x) In addition to the penalties provided in article eight of
2 this chapter, if there is a finding by the loft board that an owner has
3 failed to satisfy any requirement specified in paragraph (i), (ii),
4 (iii), (iv), (v), or (vi) of this subdivision, a court may order specif-
5 ic performance to enforce the provisions of this article upon the appli-
6 cation of three occupants of separate residential units, qualified for
7 the protection of this article, or upon the application of the munici-
8 pality.

9 ~~[(x)]~~ (xi) If, as a consequence of an owner's unlawful failure to
10 comply with the provisions of paragraph (i), (ii), (iii), (iv), (v), or
11 (vi) of this subdivision, any residential occupant qualified for
12 protection pursuant to this article is required to vacate his or her
13 unit as a result of a municipal vacate order, such occupant may recover
14 from the owner the fair market value of any improvements made by such
15 tenant and reasonable moving costs. Any vacate order issued as to such
16 unit by a local government shall be deemed an order to the owner to
17 correct the non-compliant conditions, subject to the provisions of this
18 article. Furthermore, when such correction has been made, such occupant
19 shall have the right to re-occupy his or her unit and shall be entitled
20 to all applicable tenant protections of this article.

21 ~~[(xi)]~~ (xii) The occupants of a building shall, upon appropriate
22 notice regarding the timing and scope of the work required, afford the
23 owner reasonable access to their units so that the work necessary for
24 compliance with this article can be carried out. Access shall also be
25 afforded, upon reasonable prior notice, for the purpose of inspecting
26 and surveying units as may be required to comply with the provisions of
27 this article and article seven-B of this chapter. Failure to comply with
28 an order of the loft board regarding access shall be grounds for
29 eviction of a tenant.

30 2. Every owner of an interim multiple dwelling, every lessee of a
31 whole building part of which is an interim multiple dwelling, and every
32 agent or other person having control of such a dwelling, shall, within
33 sixty days of the effective date of the act which added this article,
34 file with the loft board or any other authority designated by the mayor
35 a notice in conformity with all provisions of section three hundred
36 twenty-five of this chapter and with rules and regulations to be promul-
37 gated by the loft board.

38 § 9. This act shall take effect immediately, provided that:

39 (a) the amendments to subdivision five of section 281 of the multiple
40 dwelling law made by section one of this act shall be subject to the
41 expiration and reversion of such subdivision pursuant to subdivision (h)
42 of section 27 of chapter 4 of the laws of 2013, as amended, when upon
43 such date the provisions of section two of this act shall take effect;
44 and

45 (b) the amendments to paragraph (vi) of subdivision 1 of section 284
46 of the multiple dwelling law made by section six of this act shall be
47 subject to the expiration and reversion of such paragraph when upon such
48 date section seven of this act shall take effect.