

STATE OF NEW YORK

9163

IN ASSEMBLY

January 31, 2022

Introduced by M. of A. FERNANDEZ -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law and the administrative code of the city of New York, in relation to imposing certain penalties related to violations of building and fire code standards within fourteen days and increasing certain fines for violations of housing standards

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

Section 1. Section 382 of the executive law is amended by adding a new subdivision 5 to read as follows:

5. Any penalty levied pursuant to subdivision two of this section on a person who is in violation of the uniform fire prevention and building code and who has failed to comply with an order to remedy such violation within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article shall be assessed and imposed such penalty within fourteen days of such violation. Such person shall be notified at such time that such penalty has been imposed.

§ 2. Subdivision (a) of section 27-2115 of the administrative code of the city of New York, as amended by local law number 65 of the city of New York for the year 1987, is amended to read as follows:

(a) A person who violates any law relating to housing standards shall be subject to a civil penalty of not less than [~~ten~~] one hundred dollars nor more than [~~fifty~~] five hundred dollars for each non-hazardous violation, not less than [~~twenty-five~~] five hundred dollars nor more than one thousand five hundred dollars and ten dollars per day for each hazardous violation, [~~fifty~~] one thousand dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing five or fewer dwelling units, from the date set for correction in the notice of violation until the violation is corrected, and not less than [~~fifty~~] one thousand dollars nor more than [~~one hundred fifty~~] ten thousand dollars and, in addition, one [~~hundred twenty-five~~] thousand dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing more than five dwelling units, from the

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

LBD14326-02-2

1 date set for correction in the notice of violation until the violation
2 is corrected. A person [~~wilfully~~] willfully making a false certifi-
3 cation of correction of a violation shall be subject to a civil penalty
4 of not less than [~~fifty~~] ten thousand dollars nor more than [~~two hundred~~
5 ~~fifty~~] twenty-five thousand dollars for each violation falsely certi-
6 fied, in addition to the other penalties herein provided. Any penalty
7 levied pursuant to this subdivision shall be assessed and imposed within
8 fourteen days of such violation and such person in violation shall be
9 notified at such time that such penalty has been imposed.
10 § 3. This act shall take effect immediately.