

STATE OF NEW YORK

10585

IN ASSEMBLY

May 7, 2018

Introduced by M. of A. CYMBROWITZ -- read once and referred to the
Committee on Housing

AN ACT to amend the public housing law, in relation to reporting on
lead-based paint poisoning prevention and control

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

1 Section 1. The public housing law is amended by adding a new section
2 402-e to read as follows:

3 § 402-e. Reporting on lead-based paint poisoning prevention and
4 control. 1. Commencing on July first, two thousand eighteen and every
5 July first of each year thereafter, the chair of the New York city hous-
6 ing authority shall submit a draft plan for review and comment to the
7 New York city department of housing preservation and development and the
8 New York city department of health and mental hygiene on the New York
9 city housing authority's policies and procedures related to lead-based
10 paint poisoning prevention and control and the manner in which the New
11 York city housing authority proposes to implement such policies and
12 procedures.

13 The final plan shall take into consideration comments offered by the
14 New York city department of health and mental hygiene and the New York
15 city department of housing preservation and development and shall be
16 published by August fifteenth of each year on each department's website,
17 including the New York city housing authority's website, alongside other
18 reports pertaining to lead-based paint poisoning prevention and control
19 so that such report is available for public viewing.

20 2. Commencing on January fifteenth, two thousand nineteen and every
21 January fifteenth of each year thereafter, the chair of the New York
22 city housing authority shall produce a written report outlining federal,
23 state and local laws forming the New York city housing authority's poli-
24 cies and procedures related to lead-based paint poisoning prevention and
25 control and its implementation of such policies and procedures for the
26 prior fiscal year. Such report shall be submitted to the New York city
27 department of health and mental hygiene and the New York city department
28 of housing preservation and development and shall be published on each

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

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1 department's website alongside other reports pertaining to lead-based
2 paint poisoning prevention and control so that such report is available
3 for public viewing. Such report shall include an analysis of the lead-
4 based paint poisoning prevention and control program, a detailed state-
5 ment of revenue and expenditures and a statistical section designed to
6 provide a detailed explanation of the New York city housing authority's
7 implementation, including but not limited to, the following:

8 a. a list of developments constructed before January first, nineteen
9 hundred seventy-eight and not exempted under part 35 of title 24 of the
10 code of federal regulations; and

11 b. a list of developments constructed before January first, nineteen
12 hundred seventy-eight and that have been exempted under part 35 of title
13 24 of the code of federal regulations; and

14 c. the number of complaints related to peeling paint in dwelling units
15 and/or common areas located in buildings constructed before nineteen
16 hundred seventy-eight and not exempted under part 35 of title 24 of the
17 code of federal regulations; and

18 d. the number of work orders resulting from such complaints as identi-
19 fied pursuant to paragraph c of this subdivision; and

20 e. the results of the work orders, including, if applicable, the
21 reason a peeling paint complaint did not result in an inspection of such
22 complaint; and

23 f. the number of peeling paint complaints that did not result in reme-
24 diation and the reason for such; and

25 g. the number of annual peeling paint visual assessments completed by
26 the New York city housing authority as required by applicable federal,
27 state and local laws, disaggregated by the location of peeling paint,
28 such as a common area or dwelling unit; and

29 h. the number of peeling paint visual assessments identified as need-
30 ing corrective action pursuant to applicable federal, state and local
31 laws relating to lead-based paint, disaggregated by the location of
32 peeling paint, such as a common area or dwelling unit; and

33 i. the number of locations identified as needing corrective action
34 that resulted in remediation, disaggregated by the location of peeling
35 paint, such as a common area or dwelling unit; and

36 j. the number of locations identified as needing corrective action
37 that did not result in remediation and the reason the peeling paint was
38 not remediated; and

39 k. the number of units where a full-unit lead-based paint investi-
40 gation (testing) was conducted upon turnover to determine the presence
41 of lead-based paint and the results of the investigation; and

42 l. the number of New York city housing authority employees or
43 contracted firms, assigned to conduct the following activities and the
44 number of those employees or contracted firms with certification
45 required to conduct such activities, including: annual peeling paint
46 visual assessments, lead-based paint remediation, lead-based paint
47 abatement, and lead-based paint investigation (testing); and

48 m. the total number of exemptions obtained pursuant to subdivision b
49 of section 27-2056.5 of the administrative code of the city of New York
50 and the number of New York city public housing developments, buildings
51 and units affected by such exemptions; and

52 n. the number of units for which the New York city department of
53 health and mental hygiene has issued a commissioner's order to abate a
54 nuisance pursuant to paragraph one of subdivision (d) of section 173.13
55 of the New York city health code and the actions taken in response to
56 such order; and

1 o. a statistical profile of buildings with geographic indexing, such
2 as by community district, assembly district, senate district and/or zip
3 code, of peeling paint complaints, annual peeling paint visual assess-
4 ments, lead-based paint inspections, and commissioner's orders to abate
5 related to an elevated blood lead level; indicating the age of the
6 building; and

7 p. the number of civil actions brought against the New York city hous-
8 ing authority alleging injury caused by lead-based paint; and

9 q. such other information as requested by the commissioner of the New
10 York city department of health and mental hygiene or the commissioner of
11 the New York city department of housing preservation and development.

12 3. The New York city housing authority shall maintain a central regis-
13 ter internally of all department orders to correct peeling paint pursu-
14 ant to applicable federal, state and local laws. Such register shall
15 indicate the date of the complaint, the address of the premises, the
16 date of each inspection and reinspection, and the scope of work under-
17 taken as corrective actions.

18 § 2. This act shall take effect immediately.