

STATE OF NEW YORK

8438

2019-2020 Regular Sessions

IN ASSEMBLY

July 8, 2019

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

AN ACT to amend the New York city charter, in relation to providing for the appointment of an independent monitor for the New York city department of housing preservation and development

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

1 Section 1. The New York city charter is amended by adding a new
2 section 1807 to read as follows:

3 § 1807. Independent monitor. 1. For purposes of this section, "depart-
4 ment" shall mean the New York city department of housing preservation
5 and development.

6 2. There shall be established within the division of housing and
7 community renewal, an office of independent monitor for the department.
8 The head of such office shall be the independent monitor, who shall be
9 appointed by the governor, with the advice and consent of the senate for
10 a term of three years; provided, however, that an independent monitor
11 may be removed, by the governor, prior to the expiration of his or her
12 term, after an opportunity to be heard, for substantial neglect of duty,
13 gross misconduct in office, or inability to carry out the duties of such
14 office. Any vacancy in the office of independent monitor for the depart-
15 ment prior to the expiration of his or her term shall be filled in the
16 same manner as provided for the original appointment for the remainder
17 of such unexpired term. Upon the expiration of the term of any independ-
18 ent monitor, his or her successor shall be appointed for a term of four
19 years.

20 3. The independent monitor shall employ and may remove such personnel
21 as he or she may deem necessary for the performance of the duties of the
22 office of independent monitor for the department pursuant to this
23 section, and fix the compensation of such personnel within the amounts
24 made available for such compensation.

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

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1 4. (a) Such independent monitor, or any officer or employee of the
2 office of independent monitor for the department as shall be designated
3 by him or her, shall have the authority to, and may, in his or her sole
4 discretion, require review and oversight, in whole or in part, of any
5 activities of the department, including but not limited to management of
6 disability benefits, housing, including lotteries, and the third party
7 transfer program, and to make recommendations regarding required correc-
8 tive action or other action to the department in connection with such
9 activities.

10 (b) The department upon undertaking any such activity shall fully
11 cooperate with any determination of the independent monitor, and provide
12 access to all personnel, books, records, plans, specifications, data and
13 other information as may be necessary for such independent monitor to
14 perform his or her duties.

15 (c) In the event the independent monitor determines that corrective or
16 other action is necessary for such an activity, the independent monitor
17 shall have the authority to direct that the department shall implement
18 all such corrective or other actions, as such independent monitor deems
19 necessary to correct, remediate, or otherwise address any errors,
20 mistakes, or deficiencies arising or occurring in connection with such
21 activities.

22 5. The independent monitor shall, on or before February first each
23 year, submit to the governor, the temporary president of the senate, the
24 speaker of the assembly, and the mayor and the city council of the city
25 of New York, a report on his or her activities pursuant to this section
26 during the previous calendar year, including any corrective actions that
27 were required to be taken, and shall also report upon the status of all
28 activities undertaken by the department.

29 § 2. This act shall take effect immediately.