

STATE OF NEW YORK

6320

2019-2020 Regular Sessions

IN SENATE

June 5, 2019

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public housing law, in relation to requiring a conspicuous memorandum regarding the disruption of vital services

The People of the State of New York, represented in Senate and Assembly, 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. Disruption of vital services. 1. In order to ensure compli-
4 ance and enforcement of the New York city housing authority's duty to
5 provide and maintain heat, water, electricity and elevator service to
6 tenants, the department of housing preservation and development and the
7 New York city housing authority shall develop and agree to a memorandum
8 of understanding, to be published conspicuously on each agency's
9 website, by November first, two thousand nineteen, and thereafter amend
10 such memorandum and update such public posting as necessary. Such memo-
11 randum shall define a process and timeframes by which residents of the
12 New York city housing authority who experience a disruption in vital
13 services as specified in this subdivision may report such disruption of
14 services to the department of housing preservation and development for
15 its inspection. A reportable disruption shall be defined as the unsched-
16 uled interruption of any the following services:

17 (a) heat service;

18 (b) hot or cold water service;

19 (c) electricity service; or

20 (d) elevator service.

21 2. All inspections and verified lack of services pursuant to this
22 section shall be documented by the department of housing preservation
23 and development and published conspicuously on its website, and will
24 indicate what level of violation (A, B, or C) the condition constitutes.

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

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1 3. To develop and materially amend the required memorandum pursuant to
2 subdivision one of this section, the department of housing preservation
3 and development and the New York city housing authority shall establish
4 an advisory group to be comprised of each agency's relevant personnel,
5 representatives of public housing tenants from each borough, a represen-
6 tative of a legal services provider with experience in representing
7 public housing tenants in housing court, and a representative of any
8 other organization or city agency deemed necessary by the department of
9 housing preservation and development and the New York city housing
10 authority.

11 4. Nothing in this section shall be deemed to limit or modify the
12 manner in which a tenant may report unscheduled interruption in services
13 to their particular unit when not associated with a broader building or
14 development unscheduled interruption of services, or to limit the appli-
15 cability of the warranty of habitability to New York city housing
16 authority apartments or to limit the authority of the New York city
17 council to legislate in the area of housing code violations or with
18 respect to the New York city department of housing preservation and
19 development.

20 5. Nothing in this section shall be deemed to limit or modify the
21 obligation of the department of housing preservation and development to
22 inspect and verify the existence of conditions of all kinds in the New
23 York city housing authority.

24 § 2. This act shall take effect immediately.