

STATE OF NEW YORK

4577

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. BARNWELL, BARRON, DINOWITZ, GOTTFRIED, SEAWRIGHT, MONTESANO, TAYLOR, DICKENS, TAGUE -- read once and referred to the Committee on Housing

AN ACT to amend the administrative code of the city of New York, in relation to requiring the re-inspection of dwellings with mold violations

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

1 Section 1. Subdivision c of section 27-2017.3 of the administrative
2 code of the city of New York, as added by local law number 55 of the
3 city of New York for the year 2018, is amended to read as follows:

4 c. 1. The date for correction of a non-hazardous [~~or hazardous~~]
5 violation pursuant to [~~subdivisions~~] subdivision a or b of this section
6 shall be [~~as set forth in subdivision c of section 27-2115~~] thirty days
7 after service of the notice of violation as provided on such notice.

8 2. The date for correction of [~~an immediately~~] a hazardous violation
9 pursuant to subdivision a or b of this section shall be [~~twenty-one~~]
10 fifteen days after service of the notice of violation as provided on
11 such notice.

12 3. The date for correction of an immediately hazardous violation
13 pursuant to subdivision a of this section shall be seven days after
14 service of the notice of violation as provided on such notice.

15 4. The department may postpone the date by which an immediately
16 hazardous violation issued pursuant to subdivision a of this section
17 shall be corrected upon a showing, made within the time set for
18 correction in the notice, that prompt action to correct the violation
19 has been taken but that full correction cannot be completed within the
20 time provided because of serious technical difficulties, inability to
21 obtain necessary materials, funds or labor, inability to gain access to
22 the dwelling unit wherein the violation exists, or such other portion of
23 the building as may be necessary to make the required repair, provided,

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

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1 however, that where such immediately hazardous violation has been issued
2 as a result of a reinspection of a hazardous violation that remained
3 uncorrected, no postponement shall be granted. Such postponement shall
4 not exceed [~~fourteen~~] seven days from the date of correction set forth
5 in the notice of violation. The department may require such other condi-
6 tions as are deemed necessary to correct the violation within the time
7 set for the postponement.

8 § 2. Section 27-2017.6 of the administrative code of the city of New
9 York is amended by adding a new subdivision f to read as follows:

10 f. Upon receipt of a certification of correction of a violation issued
11 pursuant to section 27-2017.3 of this article or, if the department has
12 not received a certification of correction for such violation, upon the
13 date of correction for such violation as specified in section 27-2017.3
14 of this article, whichever occurs first, the department shall conduct an
15 inspection of the certified dwelling within:

16 1. thirty days for a non-hazardous violation;

17 2. fifteen days for a hazardous violation; and

18 3. seven days for an immediately hazardous violation.

19 § 3. This act shall take effect on the thirtieth day after it shall
20 have become a law.