STATE OF NEW YORK

2063

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. BARNWELL, EPSTEIN, NIOU, RICHARDSON, L. ROSENTHAL, SEAWRIGHT, TAGUE, TAYLOR, DeSTEFANO -- read once and referred to the Committee on Housing

AN ACT to amend the administrative code of the city of New York, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to requiring annual inspections for any increase in rent due to a major capital improvement

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

Section 1. Subdivision b of section 26-511.1 of the administrative code of the city of New York, as added by section 4 of part K of chapter 36 of the laws of 2019, is amended to read as follows:

b. The division shall establish an annual inspection and audit process which shall review [~~twenty-five percent of~~] **all** applications for [~~a temporary~~] **any** major capital improvement increase that have been submitted and approved. Such process shall include individual inspections and document review to ensure that owners complied with all obligations and responsibilities under the law for [~~temporary~~] major capital improvement increases. Inspections shall include in-person confirmation that such improvements have been completed in such way as described in the application.

§ 2. Subdivision b of section 26-405.1 of the administrative code of the city of New York, as added by section 5 of part K of chapter 36 of the laws of 2019, is amended to read as follows:

b. The division shall establish an annual inspection and audit process which shall review [~~twenty-five percent of~~] **all** applications for [~~a temporary~~] **any** major capital improvement increase that have been submitted and approved. Such process shall include individual inspections and document review to ensure that owners complied with all obligations and responsibilities under the law for [~~temporary~~] major capital improvement

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

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increases. Inspections shall include in-person confirmation that such improvements have been completed in such way as described in the application.

§ 3. Subdivision (b) of section 10-b of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, as added by section 6 of part K of chapter 36 of the laws of 2019, is amended to read as follows:

(b) The division shall establish an annual inspection and audit process which shall review [~~twenty-five percent of~~] **all** applications for [~~a temporary~~] **any** major capital improvement increase that have been submitted and approved. Such process shall include individual inspections and document review to ensure that owners complied with all obligations and responsibilities under the law for [~~temporary~~] major capital improvement increases. Inspections shall include in-person confirmation that such improvements have been completed in such way as described in the application.

§ 4. Subdivision 2 of section 8-a of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, as added by section 7 of part K of chapter 36 of the laws of 2019, is amended to read as follows:

2. The division shall establish an annual inspection and audit process which shall review [~~twenty-five percent of~~] **all** applications for [~~a temporary~~] **any** major capital improvement increase that have been submitted and approved. Such process shall include individual inspections and document review to ensure that owners complied with all obligations and responsibilities under the law for [~~temporary~~] major capital improvement increases. Inspections shall include in-person confirmation that such improvements have been completed in such way as described in the application.

§ 5. This act shall take effect immediately; provided, however, that:

(a) the amendments to section 26-511.1 of the administrative code of the city of New York made by section one of this act shall expire on the same date as such section expires and shall not affect the expiration of such section as provided under section 26-520 of such law;

(b) the amendments to section 26-405.1 of the city rent and rehabilitation law made by section two of this act shall remain in full force and effect only as long as the public emergency requiring the regulation and control of residential rents and evictions continues, as provided in subdivision 3 of section 1 of the local emergency housing rent control act; and

(c) effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.