

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:

1 Section 1. Subdivision b of section 26-511.1 of the administrative
2 code of the city of New York, as added by section 4 of part K of chapter
3 36 of the laws of 2019, is amended to read as follows:

4 b. The division shall establish an annual inspection and audit process
5 which shall review [~~twenty-five percent of~~] all applications for [~~a~~
6 ~~temporary~~] any major capital improvement increase that have been submit-
7 ted and approved. Such process shall include individual inspections and
8 document review to ensure that owners complied with all obligations and
9 responsibilities under the law for [~~temporary~~] major capital improvement
10 increases. Inspections shall include in-person confirmation that such
11 improvements have been completed in such way as described in the appli-
12 cation.

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

16 b. The division shall establish an annual inspection and audit process
17 which shall review [~~twenty-five percent of~~] all applications for [~~a~~
18 ~~temporary~~] any major capital improvement increase that have been submit-
19 ted and approved. Such process shall include individual inspections and
20 document review to ensure that owners complied with all obligations and
21 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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1 increases. Inspections shall include in-person confirmation that such
2 improvements have been completed in such way as described in the appli-
3 cation.

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

8 (b) The division shall establish an annual inspection and audit proc-
9 ess which shall review [~~twenty-five percent of~~] all applications for [~~a~~
10 ~~temporary~~] any major capital improvement increase that have been submit-
11 ted and approved. Such process shall include individual inspections and
12 document review to ensure that owners complied with all obligations and
13 responsibilities under the law for [~~temporary~~] major capital improvement
14 increases. Inspections shall include in-person confirmation that such
15 improvements have been completed in such way as described in the appli-
16 cation.

17 § 4. Subdivision 2 of section 8-a of chapter 274 of the laws of 1946,
18 constituting the emergency housing rent control law, as added by section
19 7 of part K of chapter 36 of the laws of 2019, is amended to read as
20 follows:

21 2. The division shall establish an annual inspection and audit process
22 which shall review [~~twenty-five percent of~~] all applications for [~~a~~
23 ~~temporary~~] any major capital improvement increase that have been submit-
24 ted and approved. Such process shall include individual inspections and
25 document review to ensure that owners complied with all obligations and
26 responsibilities under the law for [~~temporary~~] major capital improvement
27 increases. Inspections shall include in-person confirmation that such
28 improvements have been completed in such way as described in the appli-
29 cation.

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

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

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

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