

STATE OF NEW YORK

4456

2021-2022 Regular Sessions

IN SENATE

February 4, 2021

Introduced by Sens. KRUEGER, HOYLMAN, LIU, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to housing unit fees

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

1 Section 1. Subdivision a of section 26-517.1 of the administrative
2 code of the city of New York, as amended by section 15 of part K of
3 chapter 36 of the laws of 2019, is amended to read as follows:

4 a. The department of finance shall collect from the owner of each
5 housing accommodation registered pursuant to section 26-517 of this
6 chapter an annual fee in the amount of [~~twenty~~ *thirty*] dollars per year
7 for each unit subject to this law, in order to defray costs incurred by
8 the city pursuant to subdivision c of section eight of the emergency
9 tenant protection act of nineteen hundred seventy-four.

10 § 2. Subdivisions c and e of section 8 of section 4 of chapter 576 of
11 the laws of 1974 constituting the emergency tenant protection act of
12 nineteen seventy-four, subdivision c as amended by section 1 and subdi-
13 vision e as amended by section 2 of part I of chapter 56 of the laws of
14 2020, are amended to read as follows:

15 c. Whenever a city having a population of one million or more has
16 determined the existence of an emergency pursuant to section three of
17 this act, the provisions of this act and the New York city rent stabili-
18 zation law of nineteen hundred sixty-nine shall be administered by the
19 state division of housing and community renewal as provided in the New
20 York city rent stabilization law of nineteen hundred sixty-nine, as
21 amended, or as otherwise provided by law. The costs incurred by the
22 state division of housing and community renewal in administering such
23 regulation shall be paid by such city. All payments for such adminis-

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

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1 tration shall be transmitted to the state division of housing and commu-
2 nity renewal as follows: on or after April first of each year commencing
3 with April, nineteen hundred eighty-four, the commissioner of housing
4 and community renewal, in consultation with the director of the budget,
5 shall determine an amount necessary to defray the division's anticipated
6 annual cost, and one-quarter of such amount shall be paid by such city
7 on or before July first of such year, one-quarter of such amount on or
8 before October first of such year, one-quarter of such amount on or
9 before January first of the following year and one-quarter of such
10 amount on or before March thirty-first of the following year. After the
11 close of the fiscal year of the state, the commissioner, in consultation
12 with the director of the budget, shall determine the amount of all actu-
13 al costs incurred in such fiscal year and shall certify such amount to
14 such city. If such certified amount shall differ from the amount paid by
15 the city for such fiscal year, appropriate adjustments shall be made in
16 the next quarterly payment to be made by such city. In the event that
17 the amount thereof is not paid to the commissioner, in consultation with
18 the director of the budget, as herein prescribed, the commissioner, in
19 consultation with the director of the budget, shall certify the unpaid
20 amount to the comptroller, and the comptroller shall, to the extent not
21 otherwise prohibited by law, withhold such amount from any state aid
22 payable to such city. In no event shall the amount imposed on the owners
23 exceed [~~twenty~~] thirty dollars per unit per year.

24 e. The failure to pay the prescribed assessment not to exceed [~~twenty~~]
25 thirty dollars per unit for any housing accommodation subject to this
26 act or the New York city rent stabilization law of nineteen hundred
27 sixty-nine shall constitute a charge due and owing such city, town or
28 village which has imposed an annual charge for each such housing accom-
29 modation pursuant to subdivision b of this section. Any such city, town
30 or village shall be authorized to provide for the enforcement of the
31 collection of such charges by commencing an action or proceeding for the
32 recovery of such fees or by the filing of a lien upon the building and
33 lot. Such methods for the enforcement of the collection of such charges
34 shall be the sole remedy for the enforcement of this section.

35 § 3. The increased revenues payable each year to the commissioner of
36 the state division of housing and community renewal pursuant to this act
37 shall be divided equally by the commissioner between the office of rent
38 administration and the office of the tenant protection unit within the
39 division of housing and community renewal and shall be utilized by the
40 commissioner in addition to and not in substitution for the levels of
41 funding from all sources provided to the office of rent administration
42 and the office of the tenant protection unit on the effective date of
43 this act.

44 § 4. This act shall take effect immediately; provided that the amend-
45 ments to section 26-517.1 of chapter 4 of title 26 of the administrative
46 code of the city of New York made by section one of this act shall
47 expire on the same date as such law expires and shall not affect the
48 expiration of such law as provided under section 26-520 of such law.