

# STATE OF NEW YORK

5415

2023-2024 Regular Sessions

## IN ASSEMBLY

March 10, 2023

Introduced by M. of A. O'DONNELL -- read once and referred to the  
Committee on Housing

AN ACT to amend the multiple dwelling law, in relation to requiring the  
inspection of non-fireproof buildings and compliance with the New York  
city housing maintenance code and the New York city construction codes

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

1 Section 1. The multiple dwelling law is amended by adding a new  
2 section 140-a to read as follows:

3 § 140-a. Inspection and compliance. 1. a. Every non-fireproof multiple  
4 dwelling shall be inspected every three years for compliance with the  
5 fire safety standards set forth in the New York city housing maintenance  
6 code and the New York city construction codes.

7 b. It shall be the duty of every person, firm or corporation acting  
8 either as owner, agent, contractor or lessee of such multiple dwellings  
9 to conduct such fire safety inspections which shall include but not be  
10 limited to electrical wiring, circuits, outlets, switches, cords, and  
11 related equipment.

12 c. Every person, firm or corporation acting either as owner, agent,  
13 contractor or lessee of such multiple dwelling shall submit a fire safe-  
14 ty inspection report for each building owned or operated by such person,  
15 firm or corporation to the department of buildings or other appropriate  
16 local agency every three years.

17 2. Fire safety inspection reports shall include:

18 a. the number and nature of the fire safety hazards found during fire  
19 safety inspections; and

20 b. a description of the mitigation or repairs made in response to such  
21 fire safety inspection, including the number of repairs or improvements  
22 made.

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

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1     3. Failure to submit a report by September first of the third year in  
2 the three-year cycle shall result in a fine of one hundred dollars per  
3 day until the report has been submitted.

4     4. Those dwellings not in compliance with such fire safety standards  
5 shall have six months from such inspection to make repairs or improve-  
6 ments necessary to comply with such standards.

7     5. An owner, agent, contractor or lessee may contact the appropriate  
8 agency to assist with fire safety inspections should the owner, agent,  
9 contractor or lessee believe an area may be too dangerous to inspect  
10 without agency assistance.

11     6. Owners of multiple dwellings who fail to make repairs or improve-  
12 ments necessary for compliance with the New York city housing mainte-  
13 nance code and the New York city construction codes shall be subject to  
14 a fine of one hundred dollars per day until the dwelling complies with  
15 such code. Any dwelling that remains non-compliant with such code for a  
16 period of six months or more shall cause a lien to be placed upon the  
17 dwelling until all repairs or improvements are complete and rents are  
18 adjusted based on rent abatements, due to the unsafe conditions origi-  
19 nating from the owners' non-compliance.

20     7. The New York city department of buildings shall promulgate rules  
21 and regulations as necessary to effectuate these requirements.

22     § 2. This act shall take effect immediately.