STATE OF NEW YORK

4054

2023-2024 Regular Sessions

IN ASSEMBLY

February 9, 2023

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

AN ACT to amend the public housing law, in relation to requiring the New York city housing authority to address certain repairs within thirty days after receipt of a written notice to management

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

Section 1. The public housing law is amended by adding a new section 402-g to read as follows:

§ 402-g. Repairs; written notice. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Authority" shall mean the New York city housing authority.

(b) "Department" shall mean the New York city department of housing preservation and development.

2. Notwithstanding any law, rule or regulation to the contrary, the authority shall repair or cause to be repaired any conditions that it would otherwise have a duty to repair under law if it were a private landlord, within thirty days of receipt by the property manager of written notice of such conditions in need of repairs. Such written notice shall be provided to the property manager in a manner consistent with rules and regulations promulgated for such purpose by the authority in conjunction with the department.

3. A tenant or an authorized member of a tenant household of a unit owned or operated by the authority may report a violation of subdivision two of this section by the authority to the department. Upon receipt of a report of a violation of subdivision two of this section by the authority, the department shall issue to the authority a mandatory order to repair the conditions upon which such violation is predicated. After fifteen days of the issuance of such mandatory order to repair, the department shall inspect such reported violation.

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

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4. A tenant of a unit subject to the provisions of this section may choose to repair a condition that the authority otherwise has a duty to repair under law. Before beginning such repair, such tenant shall notify the property manager of the project wherein such tenant resides of such tenant's intent to repair such conditions. Such tenant shall keep an accurate record of expenses incurred by repairing such conditions and shall either: (a) be entitled to payment from the authority of such amount, within fifteen days of notice to the authority of such expenses incurred, or (b) be entitled to deduct such amount from future rent owed to the authority.

5. The provisions of this section shall not apply to any condition in need of repair caused by a tenant of a unit covered by this section, or by a person or persons under such tenant's direction or control.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. 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.