

STATE OF NEW YORK

1304

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sens. COMRIE, PERSAUD -- read twice and ordered printed,
and when printed to be committed to the Committee on Cities 1

AN ACT to amend the administrative code of the city of New York, in
relation to enacting the "adjacent neighbors' bill of rights"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "adjacent neighbors' bill of rights".

3 § 2. The administrative code of the city of New York is amended by
4 adding a new section 28-103.34.2 to read as follows:

5 § 28-103.34.2 Adjacent neighbors' bill of rights. 1. The commissioner
6 shall develop a bulletin known as the "adjacent neighbors' bill of
7 rights" advising homeowners who are adjacent to a property under devel-
8 opment or construction of their rights and available resources and post
9 such bulletin on the department's website. Such bulletin shall be
10 translated into the top ten languages of the city of New York as deter-
11 mined by chapter 11 of title 23 of this code, with such versions public-
12 ly accessible through the department's website. Copies of such bulletin,
13 including translations shall be provided by the commissioner to all
14 state and local elected officials, community boards, and any other
15 organizations deemed necessary by the commissioner.

16 2. The bulletin developed pursuant to this section shall include the
17 following, along with other information added at the discretion of the
18 commissioner, not otherwise inconsistent with the information set forth
19 in the bulletin:

20 a. an advisory on the availability of homeowners' rights at the
21 department to review plans submitted by developers and approved by the
22 department and further advise homeowners of their rights;

23 b. an advisory on when a developer is required to negotiate a license
24 agreement with the homeowner and that such homeowner may seek represen-
25 tation from or consult third party professionals;

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

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1 c. an advisory of a homeowner's right to require a developer to take
2 protective measures involving the party wall, including but not limited
3 to, the installation of crack gauges and vibration monitors;

4 d. an advisory of a developer's obligation to share copies of develop-
5 er's then-current plans, specifications, surveys or engineering reports
6 specific to the access sought by developers to the homeowner's property,
7 including the nature of the protections, anticipated location or
8 locations, along with further information regarding developer's instal-
9 lation dates, and approximate durations of time that the protections are
10 expected to remain in place; and

11 e. an advisory of other frequently asked questions as they pertain to
12 rights and obligations for developers and adjoining homeowners; and
13 contact information and other resources within the department related to
14 plans and permits available to homeowners.

15 § 3. This act shall take effect immediately.