STATE OF NEW YORK

2196

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. RIVERA, FERNANDEZ, SEPULVEDA -- 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 executive law and the administrative code of the city of New York, in relation to imposing certain penalties related to violations of building and fire code standards within fourteen days and increasing certain fines for violations of housing standards

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

Section 1. Section 382 of the executive law is amended by adding a new subdivision 5 to read as follows:

5. Any daily penalty levied pursuant to subdivision two of this section on a person who is in violation of the uniform fire prevention and building code and who has failed to comply with an order to remedy such violation within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article shall be assessed no later than the fourteenth day of such violation.

§ 2. Subdivision (a) of section 27-2115 of the administrative code of the city of New York, as amended by local law number 63 of the city of New York for the year 2022, is amended to read as follows:

(a) A person who violates any law relating to housing standards shall be subject to a civil penalty of not less than [~~ten~~] **twenty-five** dollars nor more than **one hundred** fifty dollars for each non-hazardous violation, not less than [~~twenty-five~~] **fifty** dollars nor more than [~~one~~] **five** hundred dollars [~~and ten dollars~~] per day for each hazardous violation, [~~fifty~~] **two hundred** dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing [~~five~~] **ten** or fewer dwelling units, from the date set for correction in the notice of violation until the violation is corrected, and not less than [~~fifty~~] **one hundred** dollars nor more than one [~~hundred fifty~~] **thousand**

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

LBD02969-01-3

five hundred dollars and, in addition, not less than one hundred twenty-five dollars nor more than one thousand dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing more than [~~five~~] ten dwelling units, from the date set for correction in the notice of violation until the violation is corrected. A person making a false certification of correction of a violation shall be subject to a civil penalty in the following amounts, in addition to the other penalties herein provided: not less than five hundred dollars nor more than [~~one~~] two thousand five hundred dollars for each immediately hazardous violation falsely certified, not less than two hundred fifty dollars nor more than five hundred dollars for each hazardous violation falsely certified, and not less than fifty dollars nor more than two hundred fifty dollars for each non-hazardous violation falsely certified.

§ 3. This act shall take effect immediately.