STATE OF NEW YORK

5401

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

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

AN ACT to amend the private housing finance law, in relation to requiring housing owned by limited-profit housing companies to be inspected on an annual basis by a housing management representative

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

Section 1. Section 32-a of the private housing finance law is amended by adding a new subdivision 15 to read as follows:

15. (a) Direct their department or the supervising agency to appoint a housing management representative to each company to perform an annual inspection of each building owned or maintained by a housing company pursuant to this article and shall notify the housing company of any violations found as a result of such inspection within five business days of such inspection; provided, however, that if any violation found as a result of such inspection presents hazardous conditions and requires an immediate response then such notification shall be provided to the housing company immediately. The department or supervising agency shall require that the housing company certify correction of such violation within a reasonable timeframe, as determined by the commissioner or the supervising agency; provided, however, that a reasonable timeframe shall be no longer than: (i) ninety days for a non-hazardous condition, including, but not limited to, missing peepholes, failure to place street numbers on the front of the dwelling, and improper seats on toilets; (ii) thirty days for a hazardous condition, including, but not limited to, leaks, small holes, inadequate lighting for stairs, missing smoke detectors, or unlawful bars on windows; (iii) twenty-one days for a lead-based paint or window guard violation; and (iv) twenty-four hours for any immediately hazardous condition, including, but not limited to, inadequate heat or hot water supply, rodents, broken or defective plumbing fixtures, defective plaster and defective faucets. The department or

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

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supervising agency shall post the results of such inspections and any ensuing certification of correction of violation on the department or supervising agency's website.

(b) Each development shall have a housing management representative assigned to them by the department or supervising agency that oversees such development. Such housing management representative shall be responsible for monitoring and evaluating the development's managements as outlined in Title 9 of the New York Codes, Rules & Regulations. Housing management representatives shall conduct the annual on-site inspection of the development and provide the results of the inspection, including recommendations, in a written report to the development and housing company. The department or supervising agency shall require the development's board of directors or managing agent to respond to the report within thirty days, detailing the housing company's plan for corrective action.

(c) An inspection may include, but is not limited to: a physical inspection of all buildings in the development, the grounds, common facilities and central systems for general construction; a review of all records the agency or supervising authority deems relevant; interviews of shareholders, board members, housing company employees and management company employees and any other information which the department or supervising agency deems relevant.

(d) The department or supervising agency shall review any local health, safety or building code violations reports or notices retained by the housing company and shall determine whether the buildings and units satisfy the uniform physical conditions standards established by HUD (24 CFR 5.703). The HUD physical condition standards shall not supersede or preempt local health, safety and building codes.

§ 2. This act shall take effect immediately.