

STATE OF NEW YORK

3819--A

Cal. No. 430

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sens. RIVERA, FERNANDEZ, HARCKHAM, JACKSON, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

1 Section 1. Subdivision 2 of section 382 of the executive law, as
2 amended by chapter 571 of the laws of 2021, is amended and a new subdivi-
3 sion 5 is added to read as follows:

4 2. a. Any person, having been served, either personally or by regis-
5 tered or certified mail, with an order to remedy any condition found to
6 exist in, on, or about any building in violation of the uniform fire
7 prevention and building code, who shall fail to comply with such order
8 within the time fixed by the regulations promulgated by the secretary
9 pursuant to subdivision one of section three hundred eighty-one of this
10 article, such time period to be stated in the order, and any owner,
11 builder, architect, tenant, contractor, subcontractor, construction
12 superintendent or their agents or any other person taking part or
13 assisting in the construction of any building who shall knowingly
14 violate any of the applicable provisions of the uniform code or any
15 lawful order of a local government, a county or the secretary made ther-
16 eunder regarding standards for construction, maintenance, or fire
17 protection equipment and systems, shall be punishable by a fine of not
18 [~~more than one thousand dollars per day of violation, or imprisonment~~
19 ~~not exceeding one year, or both for the first one hundred eighty days,~~

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

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1 ~~and for the following one hundred eighty days shall be punishable by a~~
2 ~~fine of no less than twenty five dollars and not more than one thousand~~
3 ~~dollars per day of violation or imprisonment not exceeding one year, or~~
4 ~~both and thereafter shall be punishable by a fine of no less than fifty~~
5 ~~dollars and not more than one thousand dollars per day of violation or~~
6 ~~imprisonment not exceeding one year, or both] less than twenty-five~~
7 dollars nor more than one hundred fifty dollars for each non-hazardous
8 violation in a multiple dwelling containing ten or fewer dwelling units.

9 b. For each hazardous violation occurring in a multiple dwelling
10 containing ten or fewer dwelling units, a penalty of not less than fifty
11 dollars nor more than five hundred dollars per day shall be imposed from
12 the date set for correction in the notice of violation until the
13 violation is corrected.

14 c. For each immediately hazardous violation occurring in a multiple
15 dwelling containing ten or fewer dwelling units, a penalty of not less
16 than two hundred fifty dollars per day shall be imposed from the date
17 set for correction in the notice of violation until the violation is
18 corrected.

19 d. For each non-hazardous violation occurring in a multiple dwelling
20 containing more than ten dwelling units, a penalty of not less than one
21 hundred dollars nor more than one thousand five hundred dollars shall be
22 imposed from the date set for correction in the notice of violation
23 until the violation is corrected.

24 e. For each hazardous violation occurring in a multiple dwelling
25 containing more than ten dwelling units, a penalty not less than one
26 hundred fifty dollars nor more than two thousand dollars per day shall
27 be imposed from the date set for correction in the notice of violation
28 until the violation is corrected.

29 f. For each immediately hazardous violation occurring in a multiple
30 dwelling containing more than ten dwelling units, a penalty of not less
31 than five hundred dollars per day for each violation, from the date set
32 for correction in the notice of violation until the violation is
33 corrected, or imprisonment not exceeding one year, or both.

34 g. A person making a false certification of correction of a violation
35 shall be subject to a civil penalty in the following amounts, in addi-
36 tion to the other penalties herein provided: not less than five hundred
37 dollars nor more than two thousand five hundred dollars for each imme-
38 diately hazardous violation falsely certified, not less than two hundred
39 fifty dollars nor more than five hundred dollars for each hazardous
40 violation falsely certified, and not less than fifty dollars nor more
41 than two hundred fifty dollars for each non-hazardous violation falsely
42 certified.

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

50 § 2. Subdivision (a) of section 27-2115 of the administrative code of
51 the city of New York, as amended by local law number 71 of the city of
52 New York for the year 2023, is amended to read as follows:

53 (a) In addition to any other penalty authorized by this chapter, a
54 person who violates any law relating to housing standards shall be
55 subject to a civil penalty as follows:

- 1 (1) For each non-hazardous violation, not less than fifty dollars nor
2 more than one hundred fifty dollars, and, in addition, from the date set
3 for correction in the notice of violation until the violation is
4 corrected, twenty-five dollars per day;
- 5 (2) For each hazardous violation, not less than seventy-five dollars
6 nor more than five hundred dollars, and, in addition, from the date set
7 for correction in the notice of violation until the violation is
8 corrected, not less than twenty-five dollars nor more than one hundred
9 twenty-five dollars per day; and
- 10 (3) For each immediately hazardous violation:
- 11 (i) In a multiple dwelling containing [~~five~~] ~~ten~~ or fewer dwelling
12 units, not less than one hundred fifty dollars nor more than seven
13 hundred fifty dollars, and, in addition, from the date set for
14 correction in the notice of violation until the violation is corrected,
15 not less than fifty dollars nor more than one hundred fifty dollars per
16 day; and
- 17 (ii) In a multiple dwelling containing more than [~~five~~] ~~ten~~ dwelling
18 units, not less than one hundred fifty dollars nor more than one thou-
19 sand two hundred dollars, and, in addition, from the date set for
20 correction in the notice of violation until the violation is corrected,
21 not less than one hundred fifty dollars nor more than one thousand two
22 hundred dollars per day.
- 23 (4) Provided, however, that in addition to the other penalties herein
24 provided, a person who makes a false certification of correction of a
25 violation shall be subject to a civil penalty as follows:
- 26 (i) For each non-hazardous violation falsely certified, not less than
27 fifty dollars nor more than two hundred fifty dollars;
- 28 (ii) For each hazardous violation falsely certified, not less than two
29 hundred fifty dollars nor more than five hundred dollars; and
- 30 (iii) For each immediately hazardous violation falsely certified, not
31 less than five hundred dollars nor more than one thousand dollars.
- 32 § 3. This act shall take effect immediately.