

STAND FOR TENANT SAFETY (STS) BILL SUMMARIES

Eleven new laws are described below that protect tenants from "construction as harassment." The Cooper Square Committee was a lead organization in getting these bills passed.

Int. No. 918-A: Requiring A Mandatory Audit Of 25% Of Permit Applications.
Effective Date: December 30, 2017

Summary: Requires Department of Buildings to audit 25% of professionally certified applications for rent-regulated buildings, affordable housing projects or multiple dwellings which are the subject of a rent overcharge application and which are at least 25% occupied, on a monthly basis. This bill also prohibits professional certified applications where buildings are listed on the Department of Housing Preservation and Development's website as having been subject to a finding of harassment.

Int. No. 0924-A: Orders to Correct Issued with Vacate Orders
Effective Date: December 30, 2017

Summary: This bill requires that on issuance of a vacate order Department of Buildings must include the date by which an owner must certify the correction of any and all violations giving rise to such order.

Int. No. 926-A: Task Force Consisting of Agencies and Elected Officials
Effective Date: December 30, 2017

Summary: This bill creates a task force consisting of members appointed by the New York City Department of Buildings, the Department of Housing Preservation and Development, the Department of Health and Mental Hygiene, the Department of Environmental Protection, the City Council, and the Mayor.

The task force will evaluate current practices of agencies represented in the task force regarding construction and renovation by landlords in occupied residential buildings, publish a report of its findings, and provide recommendations to improve inter-agency coordination and sharing of information.

Int. 930-A:

Section 1: Expands The Definition Of Distressed Buildings Subject To Foreclosure To Include Properties Where 25% Of The Value Of The Building Is Owed To The City.
Effective Date: Section One Takes Effect On May 1, 2019.

Section 2: Requires Department Of Finance To Report On Tax Liens And Make Recommendations As To Whether A Building Should Be Considered "Distressed"
Section Two Takes Effect Immediately.

Summary: Section 1 of this bill expands the definition of "distressed buildings" eligible for a City initiated foreclosure proceeding to include buildings which are subject to Environmental Control Board (ECB) judgments as a result of building code violations in the amount of a lien to value ratio equal to or greater than 25%.

Section 2 of this bill requires the Department of Finance to report on tax lien activities as a result of ECB debt, including the number of buildings subject to tax liens for ECB judgment debts, the location of the buildings, the number of dwelling units in each building, and recommendations for whether a 25 percent lien to value ratio is an appropriate threshold for property to be considered distressed.

Int. 931-B: Allows The City To Impose Tax Liens For ECB Judgements.
Effective Date: December 30, 2017

Summary: Expands the City's ability to impose tax liens on buildings to include properties that contain 20 or more dwelling units where the total value of all such judgments against the building is \$60,000 or more, or a building which contains between 6 and 19 dwelling units, where the value of the judgments is \$30,000 or more. The bill contains exceptions for the Department of Housing Preservation and Development's preservation projects.

Int 936-A: Requires Tenant Protection Plans (1) State Protective Measures With Particularity; (2) Be Provided To The Tenants And Published On DOB Website.

Requires DOB Inspect To Determine Compliance With The Tenant Protection Plan.

Effective Date: December 30, 2017

Summary: Amends the information that must be included in tenant protection plans (TPP) and prescribes measures that the Department of Buildings (DOB) and owners must take in order to ensure compliance with the tenant protection plan. Requires the landlord state what essential services will be interrupted, how interruptions will be minimized, what replacements will be offered. TPP must be posted at the building, available on request, and published on the DOB website. DOB will inspect for compliance with the plan. DOB will perform randomized inspections of 5% of all sites requiring a plan.

Int. No. 938-A: Department of Buildings Must Create A Watch List Of Contractors Who Have Performed Work Without A Permit In The Preceding Two Years With Increased Oversight Such Contractors.

Summary: The Department of Buildings (DOB) will compile and maintain a watch list of contractors who have been found to have performed work without a required permit in the preceding two years. DOB will engage in increased oversight of any worksite where a contractor included on the watch list performs work. Listed contractors may be removed 2 years after they were placed on the list, or 2 years after the last time the performed work without a permit, whichever is more recent.

Int. No. 939-A: Increases the penalties for work without a permit on a one- or two-family dwelling from 4 times the amount of the fee for such permit to 6 times and for work without a permit on all other buildings from 14 times to 21 times

Effective Date: December 30, 2017

Summary: The current cost for filing a work permit with Department of Buildings is as follows:

- Alt 1: Minimum Filing Fee = \$280
- Alt 2: Minimum Filing Fee = \$225
- Alt 3: Minimum Filing Fee = \$195
- Limited Alteration Application = \$195
 - Minimum filing fee is applied for work costing up to \$3,000; \$20 for each additional thousand dollars up to \$4,000; plus \$10.30 for each thousand in excess of \$5,000.

The bill increases fines for work without a permit for filings using the above method of calculation and multiplying it by 6x the fee for one and two family dwellings, and 21x for all other buildings.

Int. No. 940-A: Increases penalties for violating a stop work order from \$5,000 to \$6,000 for the initial violation and from \$10,000 to \$12,000 for subsequent violations.

Effective Date: February 30, 2018

Summary: Any person who fails to comply with a stop work order shall be liable for a civil penalty in the amount of \$6,000 for the initial violation and \$12,000 for every subsequent violation.

Int. No. 944-A: Additional penalties for performing construction work without a permit and increased oversight for buildings where such work has been performed.

Also requires the posting of the occupancy status of a building subject to a permit.

Effective Date: August 30, 2018

Summary: Department of Buildings (DOB) website will state whether the premises subject to the construction work permit are occupied. Where unpermitted work has been performed within the last year, DOB will conduct full examinations of construction and related documents (DOB's website will list of these buildings). DOB permits will identify any, and the number, of occupied units, subject to work. This bill includes enhanced civil penalties for work without a permit. DOB may impose inspection fees on buildings that have unpermitted work violations.

Int. No. 960-A: Requires that a "Safe Construction Bill of Rights" be posted for occupants of a dwelling when the owner seeks to conduct any construction work that requires a permit from the Department of Buildings.

Effective Date: December 30, 2017

Summary: Modifies the Housing Maintenance Code to require landlords post a "Safe Construction Bill of Rights" in the lobby and hallways of each floor of a building undergoing construction (not constituting minor alterations or ordinary repairs) for which a permit is needed. Each posting must be encased in plastic to protect from exposure. The Bill of Rights must describe in English, Spanish, and any other language the agency specifies:

- Type of work and where work will take place
- Hours of construction
- Projected timeline of completion of work
- Services to be interrupted during work and how owner will minimize interruption
- Contact information for agent of owner who can be reached 24 hours a day, 7 days a week, and state agencies where complaints may be submitted
- Tenant Protection Plan

Failure to comply with the requirements of this bill constitutes a Class C immediately hazardous violation of the Housing Maintenance Code. Either Department of Buildings or Housing Preservation and Development may enforce this provision.