



Legislation Details (With Text)

**File #:** Int 1171-2018 **Version:** A **Name:** Identifying unlawful statements in submissions to the DOB.

**Type:** Introduction **Status:** Enacted

**In control:** Committee on Housing and Buildings

**On agenda:** 10/17/2018

**Enactment date:** 6/8/2019 **Enactment #:** 2019/107

**Title:** A Local Law to amend the administrative code of the city of New York, in relation to identifying unlawful statements in submissions to the department of buildings

**Sponsors:** Ritchie J. Torres, Public Advocate Jumaane Williams, Keith Powers, Carlina Rivera, Ben Kallos, Margaret S. Chin, Rory I. Lancman, Helen K. Rosenthal, Diana I. Ayala

**Indexes:** Report Required

**Attachments:** 1. Summary of Int. No. 1171-A, 2. Summary of Int. No. 1171, 3. Int. No. 1171, 4. October 17, 2018 - Stated Meeting Agenda with Links to Files, 5. Hearing Transcript - Stated Meeting 10-17-2018, 6. Minutes of the Stated Meeting - October 17, 2018, 7. Committee Report 12/13/18, 8. Hearing Testimony 12/13/18, 9. Hearing Transcript 12/13/18, 10. Proposed Int. No. 1171-A - 5/7/19, 11. Committee Report 5/7/19, 12. Hearing Transcript 5/7/19, 13. Committee Report - Stated Meeting, 14. May 8, 2019 - Stated Meeting Agenda with Links to Files, 15. Hearing Transcript - Stated Meeting 5-8-19, 16. Minutes of the Stated Meeting - May 8, 2019, 17. Int. No. 1171-A (FINAL), 18. Fiscal Impact Statement, 19. Legislative Documents - Letter to the Mayor, 20. Local Law 107

Date	Ver.	Action By	Action	Result
10/17/2018	*	City Council	Introduced by Council	
10/17/2018	*	City Council	Referred to Comm by Council	
12/13/2018	*	Committee on Housing and Buildings	Hearing Held by Committee	
12/13/2018	*	Committee on Housing and Buildings	Laid Over by Committee	
5/7/2019	*	Committee on Housing and Buildings	Hearing Held by Committee	
5/7/2019	*	Committee on Housing and Buildings	Amendment Proposed by Comm	
5/7/2019	*	Committee on Housing and Buildings	Amended by Committee	
5/7/2019	A	Committee on Housing and Buildings	Approved by Committee	Pass
5/8/2019	A	City Council	Approved by Council	Pass
5/8/2019	A	City Council	Sent to Mayor by Council	
6/8/2019	A	Administration	City Charter Rule Adopted	
6/11/2019	A	City Council	Returned Unsigned by Mayor	

Int. No. 1171-A

By Council Members Torres, the Public Advocate (Mr. Williams), Powers, Rivera, Kallos, Chin, Lancman, Rosenthal and Ayala

A Local Law to amend the administrative code of the city of New York, in relation to identifying unlawful statements in submissions to the department of buildings

Be it enacted by the Council as follows:

Section 1. Section 28-211.1 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended by adding new sections 28-211.1.3 and 28-211.1.4 to read as follows:

**§ 28-211.1.3 Notification to other government agencies.** Where the department makes a determination that a person has violated section 28-211.1, the department shall send written notice to the council, the department of investigation, New York state division of housing and community renewal and the state tenant protection unit, and shall refer such finding to the district attorney of the county in which the property is located and the state attorney general.

**§ 28-211.1.4. Reporting.** By no later than January 30 of each year, the department shall submit a report to the mayor and to the speaker of the council that indicates the actions it took in every instance in which it made a determination that a person had violated section 28-211.1.

§ 2. Article 211 of title 28 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended by adding a new section 28-211.3 to read as follows:

**§ 28-211.3 Identifying unlawful statements.** The department, in coordination with the department of finance, shall collect information from the department of finance regarding occupied and rent regulated buildings to identify violations of section 28-211.1. The department shall also request information from the New York state division of housing and community renewal regarding occupied and rent regulated buildings to identify violations of section 28-211.1.

**§ 28-211.3.1 Required audits.** If the department determines that a person has violated section 28-211.1, or that the person has performed work in violation of section 28-105.1 in a building that is occupied as a dwelling, the department shall conduct an audit of filings for all buildings owned by such person and located in the city to determine if other violations of 28-211.1 have occurred with respect to other buildings owned by such person. If more than five amendments to approved construction documents have been submitted to the department within a six month period for a single building, and where such amendments indicate (i) a change in occupancy, (ii) a change in whether the building contains occupied housing accommodations subject to rent control or rent stabilization under chapters 3 and 4 of title 26 of the code or (iii) a change that would require the person to submit an application for a new permit to the department, the department shall conduct an audit of all properties owned by such person and located in the city to determine if any statements were made that are unlawful pursuant to section 28-211.1. At least once per year, the department shall audit no less than 25 percent of buildings placed on the watch list established by article 3 of subchapter 4 of chapter 2 of title 27 for compliance with building permit requirements, including whether section 28-211.1 has been violated.

§ 3. This local law takes effect 180 days after it becomes law, except that the commissioner of buildings

may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

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4/10/19 4:30pm