



Legislation Text

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Res. No. 2003

Resolution calling upon the New York State Legislature to pass, and the Governor to approve, legislation creating an Interim Hotel Dwelling program.

By Council Members Brewer, Foster, James, Palma and Lappin.

Whereas, Some landlords have been converting permanent residential apartments to illegal hotel use, exacerbating the severe shortage of affordable rental housing in the City of New York; and

Whereas, This practice is putting pressure on an already tight rental market; and

Whereas, The loss of those affordable units to illegal hotel use often results in the displacement of low and middle-income New Yorkers, severely disrupting the life of the communities where those units are located; and

Whereas, According to the 2008 New York City Housing and Vacancy Survey (HVS), the citywide vacancy rate for rental apartments was only 2.88 percent; and

Whereas, Illegal hotel use may also jeopardize the health, safety and quiet enjoyment of the homes of regular tenants; and

Whereas, The City has seen recent losses in affordable housing due to withdrawals from the Mitchell-Lama and project-based Section 8 programs, and the loss of rent-regulated housing; and

Whereas, Funding for the construction of new affordable housing has not kept pace with New York City's needs; and

Whereas, Affordable housing programs keep neighborhoods economically diverse and vibrant by allowing low to middle-income New Yorkers to remain life long residents of the City; and

Whereas, The City must ensure that the affordable housing stock is not further depleted by the illegal

use of apartments as hotels; and

Whereas, Some of the City's efforts to enforce existing laws regarding these "illegal hotels" have been hampered by a lack of clear and concise language in current statutes; and

Whereas, By creating an Interim Hotel Dwelling (IHD) program, legalization of some illegal hotels could begin; and

Whereas, Under such a program, some illegal hotels could register for IHD status, which would allow the business of the hotel to continue while providing time for the owner to take all necessary steps to legalize the illegal hotel; and

Whereas, Allowing some illegal hotels to gain IHD status and legalize will help stop illegal apartment conversions to hotel rooms, since the City would be able to take stronger enforcement action against those illegal hotels which would not be capable of receiving IHD status, after the IHD registration period ends; and

Whereas, IHD registration should not be allowed for buildings with outstanding fines for violations of the Building Code, Fire Code or Housing Maintenance Code, which cannot be corrected; and

Whereas, IHD registration should commence for hotels who are able to submit documentation that they have taken steps to correct any outstanding violations; and

Whereas, At a time when the City is hemorrhaging affordable housing, New York State should establish an IHD program to help end this affordable housing crisis and ensure that the problem is not exacerbated by allowing affordable apartments to be used as hotels; and

Whereas, An IHD program created by the New York State Legislature would help the City begin effective enforcement against illegal hotels which do not have IHD status, and help end the illegal conversion of affordable rental housing to hotel use; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to approve, legislation creating an Interim Hotel Dwelling program.

LS# 6952  
BJG

5/1/09