



Legislation Details (With Text)

File #: Res 0037-2022 **Version:** * **Name:** Non-preferential opportunity for use of amenities in certain buildings and apartments. (A.411)

Type: Resolution **Status:** Committee

In control: Committee on Housing and Buildings

On agenda: 2/24/2022

Enactment date: **Enactment #:**

Title: Resolution calling upon the New York State Legislature to amend and pass A. 441, and the Governor to sign the amended legislation, in relation to non-preferential opportunity for use of amenities in certain buildings and apartments.

Sponsors: Public Advocate Jumaane Williams, Shahana K. Hanif, Tiffany Cabán

Indexes:

Attachments: 1. Res. No. 37, 2. February 24, 2022 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 2-24-22, 4. Minutes of the Stated Meeting - February 24, 2022

Date	Ver.	Action By	Action	Result
2/24/2022	*	City Council	Introduced by Council	
2/24/2022	*	City Council	Referred to Comm by Council	

Res. No. 37

Resolution calling upon the New York State Legislature to amend and pass A. 441, and the Governor to sign the amended legislation, in relation to non-preferential opportunity for use of amenities in certain buildings and apartments.

By the Public Advocate (Mr. Williams) and Council Members Hanif and Cabán

Whereas, Some residential property owners in New York City have been offering access to new amenities only to market rate tenants; and

Whereas, Many of these same property owners have prohibited rent-stabilized tenants from using these same amenities regardless of whether there is an option to charge an extra fee; and

Whereas, These amenities include common areas such as fitness rooms, rooftop decks, pools and playrooms in the tenant’s building of residence; and

Whereas, A policy to prohibit certain tenants from using amenities that other tenants in the same building or complex can use, or to charge only certain tenants for such use, sends the wrong message, namely that lower income and rent regulated tenants should not have access to the same opportunities that are being

offered to market rate tenants; and

Whereas, A. 441, an act to amend the real property law, in relation to non-preferential opportunity for use of amenities in certain buildings and apartments, sponsored by New York State Assembly Member Linda Rosenthal, would require property owners to provide equal access to amenities and common areas to all tenants; and

Whereas, A. 441 should be amended to also require newly constructed housing developments or buildings with significant renovations to provide the same exact amenities in a unit for all tenants regardless of their source of income and regardless of whether the unit is affordable due to rent stabilization or a rent subsidized program; and

Whereas, A. 441 should be amended to specify that amenities in a unit should include, but not be limited to, cabinet finishes, refrigerators, microwaves and ovens; and

Whereas, A. 441 should also be amended to prohibit additional fees if a tenant decides to use the amenities offered; now, therefore, be it

Resolved, That the New York City Council calls upon New York State Legislature to amend and pass A. 441, and the Governor to sign the amended legislation, in relation to non-preferential opportunity for use of amenities in certain buildings and apartments.

Session 12
NLB
LS # 3668
12/30/21

Session 11
JLC
LS# 13168