Legislation Details (With Text)

File #:	Res 0991-2025	**Version:**	*	**Name:**	Authorize four additional community districts to participate in the pilot program to legalize certain basement apartments. (A.597/S.2507)
Type:	Resolution			**Status:**	Filed (End of Session)
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Title: Resolution calling on the New York State legislature to pass, and the Governor to sign, A.597/S.2507, which would authorize four additional community districts to participate in the pilot program to legalize certain basement apartments

Sponsors:

Indexes:

Attachments: 1. Res. No. 991, 2. July 14, 2025 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 7-14-25

Date	Ver.	Action By	Action	Result
7/14/2025	*	City Council	Introduced by Council	
7/14/2025	*	City Council	Referred to Comm by Council	
12/31/2025	*	City Council	Filed (End of Session)	

Res. No. 991

Resolution calling on the New York State legislature to pass, and the Governor to sign, A.597/S.2507, which would authorize four additional community districts to participate in the pilot program to legalize certain basement apartments

By Council Members Nurse, Krishnan and Banks

Whereas, In order to secure housing, many New York City ("NYC" or the "City") residents live in basement apartments that have been illegally converted for residential use and are not regulated by the NYC Department of Buildings through a certificate of occupancy; and

Whereas, Such apartments may not be safe to occupy, particularly if they lack certain flood safety measures required by the NYC Construction Codes; and

Whereas, When Hurricane Ida struck NYC in 2021, 11 New Yorkers, 10 of them living in unregulated basement apartments, perished from flooding in their homes; and

Whereas, Some of these deaths may have been due in part to the absence of certain safety measures

such as inward-opening exterior doors, which remain operational despite the hydrostatic pressure caused by floodwaters; and

Whereas, Residents of unregulated basement apartments are also at particular threat of harm from fire, as such units often lack safety measures that may be required by the NYC Fire Code, including smoke detectors, sprinklers, and adequate points of egress; and

Whereas, Residents of unregulated basement apartments may also be subject to persistent, unreported violations of the NYC Housing Maintenance Code, which mandates that all NYC residential buildings be maintained in safe, sanitary, and habitable conditions, and of the New York State Real Property Law, which regulates the relationship between landlords and tenants, as reporting violations of these statutes could result in the issuance of a vacate order and the subsequent displacement of the resident; and

Whereas, In order to encourage owners of unregulated basement apartments to address these physical safety concerns and provide more New Yorkers with the protections of a legal apartment, New York State, in its Fiscal Year 2025 budget, authorized NYC to establish a pilot program to facilitate the legalization of unregulated basement apartments, including by waiving certain overly burdensome requirements of the New York State Multiple Dwelling Law, as well as other laws and rules, and imposing new standards to ensure public health and safety; and

Whereas, Several months after state authorization was granted, NYC enacted local law number 126 for the year 2024, which established such a pilot program (the "pilot program"); and

Whereas, However, New York State only authorized NYC to administer the pilot program in a limited number of community districts, primarily in the Bronx and Manhattan, which excluded many community districts in Brooklyn and Queens, where unregulated basement units are most common; and

Whereas, A 2021 update to a study conducted by the Pratt Center for Community Development and the Basement Apartments Safe for Everyone Coalition found that unregulated basement apartments are primarily concentrated in eight community districts located in Queens and Brooklyn, only two of which are eligible for

inclusion in the pilot program; and

Whereas, This exclusion limits the effectiveness of the pilot program and prevents many New Yorkers from living in safe, legal basement apartments; and

Whereas, A.597, sponsored by New York State Assembly Member Jessica González-Rojas, and companion bill S.2507, sponsored by New York State Senator Julia Salazar, would permit NYC to expand the pilot program to include Brooklyn Community District 5 and Queens Community Districts 1, 3 and 4, which are community districts that would significantly benefit from basement legalization; and

Whereas, Expansion of the pilot program to include these community districts would help more New Yorkers protect themselves against flood and fire, live in habitable apartments, and increase the supply of legal residential housing in NYC; 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 sign, A.597/S.2507, which would authorize four additional community districts to participate in the pilot program to legalize certain basement apartments.

AGB
LS #19359
6/6/25