



## Legislation Text

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Int. No. 489

By Council Member Gibson

A Local Law to amend the administrative code of the city of New York, in relation to requiring landlords leasing commercial space for certain uses to provide to the tenant a certificate of occupancy and to disclose any liens, fines, or encumbrances that affect title, use or physical condition of the property or the interest of the lessee

Be it enacted by the Council as follows:

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

### CHAPTER 11

#### COMMERCIAL LEASE DISCLOSURES

§ 22-1101 Commercial lease disclosures related to auto body shops. a. Definitions. For the purposes of this chapter, the following terms have the following meanings:

Department. The term “department” means the New York city department of small business services.

Encumbrance. The term “encumbrance” means anything that affects title, use or physical condition of the property or the interest of the lessee, including, but not limited to, leases, mortgages, judgments, encroachments, easements and restrictive covenants.

b. Provision of documents. During a lease negotiation and before the signing of the final lease agreement, any landlord in a commercial lease transaction involving an existing site where automobiles are serviced, greased, or repaired or an existing site intended to be used for such purposes must provide to any lessee a copy of the most recent certificate of occupancy and must disclose in writing to the lessee the existence of any liens, fines or encumbrances that affect title, use or physical condition of the property or the interest of

the lessee.

c. Education and outreach. The department shall establish and engage in outreach and education efforts that are tailored to small business owners engaged in auto body repair.

1. Such outreach and education shall concern issues that are likely to affect business owners engaged in auto body repair, including, but not limited to, appropriate certificates of occupancy; commercial leases; and relevant licenses, certifications and laws.

2. The department shall commence the outreach and education required by this section by June 1, 2018.

3. The department shall produce educational materials for such outreach and education and shall make those materials available on its website and through in-person classes. The department shall provide those materials in English, French, Arabic and the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of small business services 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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