

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 107

Introduced 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.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on May 8, 2019 and returned unsigned by the Mayor on June 11, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 107 of 2019, Council Int. No. 1171-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.