

DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development is proposing rules pursuant to Local Law 45 of 2014, which enacted section 26-1103 of the New York City Administrative Code. Section 26-1103 requires posting a notice in multiple dwellings regarding the availability of a housing information guide for tenants and owners.

When and where is the Hearing? The Department of Housing Preservation and Development will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 AM-11:00 AM on December 9, 2014. The hearing will be in room 5R1 at 100 Gold Street, New York, N.Y. 10038.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the Department of Housing Preservation and Development through the NYC rules website: <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to rules@hpd.nyc.gov.
- **Mail.** You can mail written comments to Assistant Commissioner Mario Ferrigno at: Department of Housing Preservation and Development, 100 Gold Street, Room 5-Z7, New York, N.Y. 10038.
- **Fax.** You can fax written comments to the Department of Housing Preservation and Development, Att: Mario Ferrigno, at 212 863-8617.
- **Hearing.** You can speak at the public hearing. Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212 863-8602, or you can sign up in the hearing room before the hearing begins on December 9, 2014. You can speak for up to three minutes.

Is there a deadline to submit written comments? Comments must be submitted before the close of business on December 9, 2014.

What if I need assistance to participate in the Hearing? You must tell the Department if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212 863-8602. You must tell us by November 25, 2014.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at 100 Gold Street, Office of Legal Affairs, Department of Housing Preservation and Development, New York, N.Y. 10038.

What authorizes the Department of Housing Preservation and Development to make this rule? Sections 1043 and 1802(6)(l) of the New York City Charter and section 26-1103 of the New York City Administrative Code authorize the Department of Housing Preservation and Development to make this proposed rule. This proposed rule was not included in the Department of Housing Preservation and Development's regulatory agenda for this fiscal year because the local law authorizing the rule had not yet been enacted.

Where can I find the Department of Housing Preservation and Development's rules? The rules of the Department of Housing Preservation and Development are located in Title 28 of the Rules of the City of New York.

What rules govern the rulemaking process? The Department of Housing Preservation and Development must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The proposed rule implements New York City Administrative Code section 26-1103, which was recently enacted by Local Law 45 of 2014. Section 26-1103 requires owners of multiple dwellings to post a notice in a conspicuous place within view of the area in the multiple dwelling to which mail is delivered regarding the availability of a housing information guide for tenants and owners. The law authorizes the Department of Housing Preservation and Development to determine the form of the required notice.

This proposed rule implements a recently enacted requirement in section 26-1103 of the New York City Administrative Code, with only minor discretion or interpretation by the Department of Housing Preservation and Development. Pursuant to section 1043(d)(4)(iv) of the New York City Charter, this rule is exempt from the review and certification requirement of Charter section 1043(d).

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

New material in the following rule is underlined, deleted material is in [brackets].

Section one. Title 28 of the Rules of the City of New York is amended by adding a new Chapter 46 to read as follows:

CHAPTER 46

§46-01. Every owner of a multiple dwelling shall post the following notice in at least 11 point type in a conspicuous place within view of the area in the multiple dwelling to which mail is delivered.

HOUSING INFORMATION GUIDE FOR TENANTS AND OWNERS

A housing information guide, the “ABCs of Housing,” is available on the New York City Department of Housing Preservation and Development’s website at www.nyc.gov/hpd. This guide is also available in print by calling 311.

The guide contains information about the following topics:

- Eviction
- Heat and hot water
- Pest management
- Tenant organizations
- Rent-regulated leases
- Rental assistance for elderly or disabled tenants
- Housing discrimination
- Repairs and maintenance
- Tenant response to owner notifications
- Access for owner inspections and repair
- Free and low-cost legal services

GUÍA DE INFORMACIÓN DE VIVIENDA PARA INQUILINOS Y DUEÑOS

Un guía de información de vivienda los “ABC’s de Vivienda” está disponible en la página web del Departamento de Preservación de Viviendas y Desarrollo de la Ciudad de Nueva York en www.nyc.gov/hpd. Este guía imprimido también está disponible llamando al 311.

El guía contiene información sobre los siguientes temas:

- Desalojo
- Calefacción y agua caliente
- Manejo de plagas
- Organización de inquilinos
- Alquilar de arrendamientos regulados
- Asistencia de alquiler para ancianos o inquilinos deshabilitados
- Discriminación de vivienda
- Reparaciones y mantenimiento
- Respuesta de Inquilinos a notificaciones del dueño
- Acceso para inspecciones de dueños para reparaciones
- Servicios legales gratis y a bajo costo