

DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

Notice of Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development (“HPD”) is proposing to repeal Chapter 29 of Title 28 of the Rules of the City of New York titled, “SIP Occupied Sales Program.” This rule was identified as part of a comprehensive rules review initiative undertaken by the NYC Mayor’s Office of Operations, working with the City’s rulemaking agencies, the Law Department, and the Office of Management and Budget.

When and where is the Hearing? HPD has determined, pursuant to New York City Charter section 1043(e), that a public hearing on the proposed rule would serve no public purpose.

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

- **Website.** You can submit comments to HPD through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to rules@hpd.nyc.gov.
- **Mail.** You can mail written comments to Daniel Y. Shin, 100 Gold Street, Room 5-W6, New York, New York 10038.
- **Fax.** You can fax written comments to HPD, 212 863-8375, ATTN: Daniel Y. Shin.
- **Hearing.** HPD has determined, pursuant to New York City Charter section 1043(e), that a public hearing on the proposed rule would serve no public purpose.

Is there a deadline to submit written comments? All written comments must be submitted before the close of business on May 8, 2017.

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

What authorizes HPD to make this rule? Sections 1043 and 1802 of the City Charter authorize HPD to make this proposed rule.

Where can I find the HPD rules? The HPD rules are located in title 28 of the Rules of the City of New York.

What rules govern the rulemaking process? HPD 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 Special Initiatives Program (“SIP”) of HPD’s Division of Homeless Housing Development utilized vacant City-owned buildings to develop permanent housing for the formerly homeless. The purpose of the SIP Occupied Sales Program (“SIP Program”) was to dispose of these buildings to qualified sponsors. The SIP Program rules in Chapter 29 were enacted to effectuate and regulate the SIP Program. All buildings in the SIP Program were sold to qualified sponsors more than twenty years ago. With the completion of the SIP Program, the SIP Program rules no longer serve any purpose, and therefore they may be repealed. For this reason, HPD proposes to repeal Chapter 29.

This rule was identified as part of a comprehensive rules review initiative undertaken by the NYC Mayor’s Office of Operations, working with the City’s rulemaking agencies, the Law Department, and the Office of Management and Budget. The initiative identified rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 29 of Title 28 of the Rules of the City of New York, relating to the Special Initiatives Program, is hereby REPEALED.

Commissioner Maria Torres-Springer
April 7, 2017

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Repeal of Rules Relating to Special Initiatives Program

REFERENCE NUMBER: 2017 RG 026

RULEMAKING AGENCY: Department of Housing Preservation and Development

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: March 23, 2017

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Repeal of Rules Relating to Special Initiatives Program

REFERENCE NUMBER: HPD-36

RULEMAKING AGENCY: Department of Housing Preservation and Development

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

March 23, 2017
Date