

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 (HPD) is proposing to repeal chapter 4 of title 28 of the Rules of the City of New York ("Redevelopment Companies Rules") governing redevelopment companies formed pursuant to Article V of the Private Housing Finance Law. 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 will hold a public hearing on the proposed rule. The public hearing will take place from 2:30 PM to 3:30 PM on Wednesday, December 28, 2016. The hearing will be in HPD's offices at 100 Gold Street, 7th Floor, Room 7Z10, New York, New York 10038.

This location has the following accessibility option(s) available: The building and hearing room are wheelchair accessible.

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

- **Website.** You can submit comments to HPD through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to rules@hpd.nyc.gov.
- **Mail.** You can mail comments to Julie Walpert, Assistant Commissioner for Housing Supervision, 100 Gold Street, Room 7L2, New York, New York 10038.
- **Fax.** You can fax comments to HPD, 212 863-5048, ATTN: Julie Walpert.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 863-6500. You can also sign up in the hearing room before the hearing begins on December 28, 2016. You can speak for up to three minutes.

Is there a deadline to submit written comments? All written comments must be submitted on or before December 28, 2016.

Do you need assistance to participate in the Hearing? If you need a sign language interpreter or other reasonable accommodation of a disability at the hearing, you must tell us no later than December 14, 2016 either by e-mail at walpj@hpd.nyc.gov, by telephone at 212-863-6500, or by mail at the address given above.

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 an audiotape of oral comments concerning the proposed rules will be available to the public at the office of Ms. Walpert.

What authorizes HPD to make this rule? Sections 1043 and 1802 of the City Charter and Section 117 of the Private Housing Finance Law authorize HPD to make these proposed rules.

Where can I find the HPD rules? The HPD rules are 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

Article V of the Private Housing Finance Law ("Redevelopment Companies Law") was a precursor to the Mitchell-Lama program. It authorizes the City to sell property and grant partial tax exemptions to "redevelopment companies" that develop housing projects with private financing. A sponsor's plan and project for area redevelopment requires approval by the City Planning Commission and the City Council. The City Council also approves a tax exemption for such developments and a contract with each redevelopment company regulating rents.

HPD is proposing to repeal the Redevelopment Companies Rules. The Redevelopment Companies Law provides sufficient guidance and, therefore, the rules are unnecessary.

Working with the City's rulemaking agencies, the Law Department, and the Office of Management and Budget, the Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those 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. This proposed rule repeal was identified through this initiative.

HPD's authority for these rules is found in sections 1043 and 1802 of the New York City Charter and section 117 of the Private Housing Finance Law.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 4 of Title 28 of the Rules of the City of New York is hereby REPEALED.

Commissioner Vicki Been
November 28, 2016

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 Redevelopment Company Rules

REFERENCE NUMBER: 2016 RG 085

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: October 24, 2016

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 Redevelopment Company Rules

REFERENCE NUMBER: HPD-30

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

October 24, 2016
Date