

**CAPA REGULATORY AGENDA FY 2019**  
**DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**

Pursuant to section 1042 of the Charter, the New York City Department of Housing Preservation and Development sets forth below its regulatory agenda for the City's fiscal year of 2019:

**1. SUBJECT: §421-a Program**

- A. Reason: To amend rules governing the 421-a Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: Real Property Tax Law ("RPTL"), Charter, and Administrative Code.
- E. Types of individuals and entities likely to be affected: Sponsors of projects eligible for exemption.
- F. Other relevant laws: RPTL §421-a and Administrative Code.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Miriam Colón, Tax Credits and Incentives, (212) 863-6263, colonmir@hpd.nyc.gov.

**2. SUBJECT: J-51 Program**

- A. Reason: To amend rules governing the J-51 Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement anticipated legislation.
- C. Objectives: Change and clarify existing rules and implement anticipated legislation.
- D. Legal basis: RPTL, Charter, and Administrative Code.
- E. Types of individuals and entities likely to be affected: Sponsors of projects eligible for tax benefits.
- F. Other relevant laws: RPTL §489 and Administrative Code.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Miriam Colón, Tax Credits and Incentives, (212) 863-6263, colonmir@hpd.nyc.gov.

**3. SUBJECT: §420-c Program**

- A. Reason: To amend rules governing the 420-c Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.

- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: RPTL §420-c and Charter.
- E. Types of individuals and entities likely to be affected: Sponsors of projects eligible for exemption.
- F. Other relevant laws: RPTL §420-c.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Miriam Colón, Tax Credits and Incentives, (212) 863-6263, colonmir@hpd.nyc.gov.

**4. SUBJECT: Mitchell-Lama Program**

- A. Reason: To amend rules governing the Mitchell-Lama Program and implement legislation.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: Change and clarify existing rules and implement legislation.
- D. Legal basis: Private Housing Finance Law (“PHFL”) and Charter.
- E. Types of individuals and entities likely to be affected: Owners and residents of Mitchell-Lama projects.
- F. Other relevant laws: PHFL Article II.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Julie C. Walpert, Housing Supervision, (212) 863-6500, walpj@hpd.nyc.gov.

**5. SUBJECT: Lead-Based Paint**

- A. Reason: To make technical amendments to the rules implementing the Childhood Lead Poisoning Prevention Act of 2003.
- B. Anticipated contents: Technical amendments to rules implementing the Childhood Lead Poisoning Prevention Act.
- C. Objectives: To provide guidance to the regulated public.
- D. Legal basis: Administrative Code.
- E. Types of individuals and entities likely to be affected: Owners and occupants of residential buildings; repair and renovation companies and workers.
- F. Other relevant laws: Administrative Code and Health Code.
- G. Approximate schedule: On or before June 30, 2019.

H. Agency Contact: Mary-Lynne Rifenburg, Legal Affairs, (212) 863-8341, rifenm@hpd.nyc.gov.

**6. SUBJECT: Inclusionary Housing Program**

- A. Reason: To amend rules governing the voluntary and mandatory inclusionary housing programs.
- B. Anticipated contents: Rules for administering the voluntary and mandatory inclusionary housing programs.
- C. Objectives: To change and clarify existing rules and procedures, as well as to establish rules called for in the Zoning Resolution for the general administration of the voluntary and mandatory inclusionary housing programs.
- D. Legal basis: Zoning Resolution §23-90, inclusive.
- E. Types of individuals and entities likely to be affected: Developers and renters/purchasers of inclusionary housing affordable housing units.
- F. Other relevant laws: Zoning Resolution.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Louise Carroll, Housing Incentives, (212) 863-8228, carrolll@hpd.nyc.gov.

**7. SUBJECT: Certification of No Harassment Pilot Program**

- A. Reason: To create rules to implement the Certification of No Harassment Pilot Program mandated by Local Law No. 1 of 2018.
- B. Anticipated contents: Rules for administering the Certification of No Harassment Pilot Program.
- C. Objectives: To implement the requirements of Local Law No. 1 of 2018.
- D. Legal basis: Administrative Code.
- E. Types of individuals and entities likely to be affected: Owners and tenants of housing with six or more units located in the community districts covered by Local Law No. 1 of 2018.
- F. Other relevant laws: Administrative Code and Zoning Resolution.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Mary-Lynne Rifenburg, Legal Affairs, (212) 863-8341, rifenm@hpd.nyc.gov

**8. SUBJECT: Indoor Asthma Allergen Hazards**

- A. Reason: To create rules concerning enforcement of code requirements for addressing indoor asthma allergen hazards, as required by Local Law No. 55 of 2018.
- B. Anticipated contents: Rules to implement Local Law No. 55 of 2018.

- C. Objectives: To implement enforcement of owner responsibilities to address indoor asthma allergens.
- D. Legal basis: Administrative Code.
- E. Types of individuals and entities likely to be affected: Owners and occupants of multiple dwellings.
- F. Other relevant laws: Administrative Code.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Mary-Lynne Rifenburg, Legal Affairs, (212) 863-8341, rifenm@hpd.nyc.gov.

**9. SUBJECT: Housing Portal**

- A. Reason: To create rules concerning the Housing Portal mandated by Local Law No. 64 of 2018.
- B. Anticipated contents: Rules to implement Local Law No. 64 of 2018.
- C. Objectives: To implement the requirements of Local Law No. 64 of 2018.
- D. Legal basis: Administrative Code.
- E. Types of individuals and entities likely to be affected: Owners, residents, and potential residents of residential buildings.
- F. Other relevant laws: Administrative Code.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: Margaret Brown, Policy and Operations, (212) 863-7402, brownm@hpd.nyc.gov

**10. SUBJECT: Article VIII-A Loans**

- A. Reason: To amend rules governing rehabilitation loans pursuant to Article VIII-A of the PHFL.
- B. Anticipated contents: Amendments to change and clarify existing rules and implement legislation.
- C. Objectives: To change and clarify existing rules and implement legislation.
- D. Legal basis: PHFL and Charter.
- E. Types of individuals and entities likely to be affected: Owners and tenants of multiple dwellings rehabilitated with financing pursuant to Article VIII-A of the PHFL.
- F. Other relevant laws: PHFL Article VIII-A.
- G. Approximate schedule: On or before June 30, 2019.
- H. Agency Contact: William Martin, Legal Affairs, (212) 863-7712, martinw@hpd.nyc.gov.