



City of New York
DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT
100 GOLD STREET, NEW YORK, N.Y. 10038
nyc.gov/hpd

MARIA TORRES-SPRINGER
Commissioner

December 1, 2018

Honorable Bill de Blasio
Mayor, The City of New York
City Hall
New York, N.Y. 10007

**Re: Report to the City Council:
Implementation of Local Law #101 of 2015 in FY 2018**

Dear Mayor de Blasio:

I am pleased to submit the Department of Housing Preservation and Development's report on the implementation of Local Law #101 of 2015, in accordance with Administrative Code §27-2129.1. The report contains a narrative analysis of the program and incorporates a statistical section as required by the Code.

Thank you for your time and attention to the report.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Torres-Springer".

Maria Torres-Springer

(212) 863-6100

FAX (212) 863-6302

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MARIA TORRES-SPRINGER
Commissioner

December 1, 2018

Honorable Corey Johnson, Speaker
New York City Council
City Hall
New York, N.Y. 10007

**Re: Report to the City Council:
Implementation of Local Law #101 of 2015 in FY 2018**

Dear Speaker:

I am pleased to submit to the City Council the Department of Housing Preservation and Development's report on the implementation of Local Law #101 of 2015, in accordance with Administrative Code §27-2129.1. The report contains a narrative analysis of the program and incorporates a statistical section as required by the Code.

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REPORT TO THE CITY COUNCIL:

This report was prepared by the Department of Housing Preservation and Development (HPD) in accordance with Administrative Code section 27-2129.1. The report describes the implementation of Local Law 101 of 2015 for the time period between the July 1, 2017, and June 30, 2018.

LOCAL LAW 101 OF 2015

Recognizing that elevators are an essential building service for so many New Yorkers, the City Council and Mayor de Blasio enacted legislation to address concerns about elevators that remain out of service in residential buildings for extended periods of time. Effective July 1, 2016, referrals for additional enforcement action against owners who fail to repair hazardous and inoperable elevators are made by the Department of Buildings (DOB) to the Department of Housing Preservation and Development (HPD). When a building owner fails to restore elevator service as ordered by DOB, and after a compliance period expires, the elevator condition is referred to HPD. Upon referral, HPD assesses what action may be necessary, based upon the reason why the elevator is inoperable and other relevant factors, such as whether there are other operable elevators in the building. HPD's Elevator Division may contract for the repair of an inoperable elevator if a property owner is unwilling or unable to do so in a timely manner. HPD may also seek an order in Housing Court to compel the owner to restore the service, and any appropriate additional penalties or orders as necessary. If HPD's contractor performs work to repair the elevator, the expenses for the repair work are billed to the property pursuant to Administrative Code §27-2129. If the owner fails to pay the costs, the charges become a tax lien against the building.

Local Law 101 provides that beginning December 2016 and every December thereafter, a report containing information compiled by both HPD and DOB will be provided to the Mayor and the Speaker of the Council as well as posted online. This report will detail information pertaining to elevator referrals received by HPD from DOB.

PROCESS FOR ENFORCING LOCAL LAW #101

When DOB completes a re-inspection of an elevator that results in the issuance of a reoccurring immediately hazardous ECB violation for failure to correct the initial violating condition, DOB notifies HPD. HPD attempts owner contact, including mailing written notices to owners and/or managing agents of record and attempting to contact those individuals by telephone.

In the case of successful owner contact, details about HPD's responsibilities under Local Law 101 are described. Details about the owner's elevator device repair plan are solicited and logged, including information about the elevator company contracted to perform work, planned scope, and schedule of work. These details are conveyed to HPD Elevator Inspectors, who periodically visit the residential buildings to confirm that repair work is progressing. Additionally, as necessary, details about repair plans are shared with the DOB by HPD to ensure that owners are complying with stated repair plans by applying for permits, scheduling of re-inspections, etc.

For owners who are unable or unwilling to make the repairs required to provide safe and reliable elevator service, HPD may complete emergency elevator work. At HPD's authorization, a contractor working for the City will prepare a proposal, including scope and cost estimate, to address repair needs. When work is authorized, HPD Elevator Inspectors will closely monitor progress and ensure adherence to the contracted work.

Coordination between HPD and DOB is ongoing and details about permits, re-inspections, violation status and removal are shared routinely.

PROGRAM OUTCOMES

HPD received 162 elevator referrals from the Department of Buildings in FY18. 53 of these referrals were determined to be outside of jurisdiction of HPD in accordance with the Local Law. Of the remaining

109 referrals, 99 elevators have been restored to service. HPD is carefully monitoring the remaining elevator referrals. Either necessary permits have been issued, work has started under permit or litigation has commenced by DOB or the building occupants in these buildings. HPD has taken action on all referrals to contact the building owners. Owners have been responsive and cooperative. Details about elevator repair work have been made readily available and, for the most part, owners have diligently provided HPD with progress updates. HPD has not authorized the execution of emergency elevator repair work or initiated any Housing Court actions to enforce repair.

STATISTICAL SECTION

Activity period	FY18
(i) the number of multiple dwellings for which the department of buildings issued immediately hazardous elevator-related violations;	1667
(ii) the number of multiple dwellings for which the department of buildings issued immediately hazardous elevator-related violations that were corrected before referral to the department was required pursuant to section 28-219.4 of this code;	1505
(iii) the number of multiple dwellings with immediately hazardous elevator-related violations issued by the department of buildings that were referred to the department pursuant to section 28-219.4;	162
(iv) the number of such referrals that included information indicating that a dwelling unit serviced by such elevator was not served by another operable elevator;	102
(v)(a) the number of multiple dwellings with immediately hazardous elevator related violations that were corrected by the owner of the multiple dwelling subsequent to such referral	99
(v)(b) Average number of days between such referral and such correction;	27
(vi) the number of multiple dwellings with immediately hazardous elevator-related violations that the department determined were dangerous to human life and safety or detrimental to health;	<i>HPD is taking action to address every referral received from the Department of Buildings</i>
(vii) the number of multiple dwellings with immediately hazardous elevator-related violations that the department ordered corrected; and	Not applicable
(viii) the number of multiple dwellings with immediately hazardous elevator-related violations that were corrected by the department	0
(viiib) The cost of immediately hazardous elevator-related violations that were corrected by the department.	\$0.00