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MAYOR DE BLASIO SIGNS COVID-19 RELIEF PACKAGE INTO LAW

NEW YORK—Mayor Bill de Blasio today signed seven pieces of legislation providing relief for tenants, commercial establishments, and restaurants during the COVID-19 pandemic. The new laws support struggling small businesses by imposing limits on third-party food delivery services, extending the suspension of sidewalk cafe fee collection, and protecting commercial tenants from harassment and personal liability. Together, the bills offer sweeping protections for New Yorkers in a time of unprecedented financial insecurity.

“New Yorkers have been fighting every day to flatten the curve and get through this pandemic together. Now, it’s time for us to give back to them,” said **Mayor Bill de Blasio**. “I’m proud to sign this package of bills into law to offer protections for our small businesses, restaurants, and tenants to ensure that our City can come back stronger.”

This package includes:

Intro. 1898-A prohibits third-party food delivery services from charging restaurants a fee for telephone orders that do not result in an actual sale. The bill imposes penalties of up to \$500 per violation, and the City can bring litigation seeking these penalties as well as restitution of illegally charged fees. The bill will take effect June 2, 2020, lasting until 90 days after the end of a declared emergency.

Intro. 1908-B caps the fees that third-party food delivery services can charge restaurants for the duration of a declared emergency and for 90 days thereafter. Third-party food delivery services will be prohibited from charging restaurants a fee greater than 15% per order for delivery and 5% per order for any other charge. Currently, third-party food delivery services sometimes charge up to 30% of the total order. Violators are subject to civil penalties of up to \$1,000 per restaurant per day. The bill will take effect on June 2, 2020.

Intro. 1916-A suspends collection of indoor sidewalk cafe fees from restaurants from March 1, 2020 to February 28, 2021, and for outdoor sidewalk cafes through the duration of the emergency. Through Executive Order, the City already stopped collecting these fees for the duration of the emergency; this bill extends the suspension for indoor cafes until the end of February 2021.

Intro. 1914-A designates threatening a commercial tenant based on its status as a COVID-19 impacted business a form of harassment, effective immediately. This includes businesses that were subject to capacity restrictions, were forced to close, or business owners who contracted the virus.

Intro. 1932-A protects commercial tenants' personal assets by temporarily prohibiting the enforcement of personal liability provisions in commercial leases or rental agreements involving COVID-19 impacted tenants. Threatening to or attempting to enforce such a provision will be considered a form of harassment, effective immediately.

Intro. 1936-A expands the definition of tenant harassment to protect tenants from threats based on status as an essential employee or being impacted by COVID-19.

Intro. 1940-A codifies the Mayor's EO 107, which suspends renewal requirements for licenses and permits from City agencies during the duration of the emergency and extends such suspension for an extra 45 days. This will provide both City agencies and applicants enough time to complete and process renewals after the end of the emergency and when businesses come back online again. This bill takes effect immediately and will require the City to post a list of licenses not covered under the EO.

"New York's small businesses have been devastated by this pandemic. On top of closed businesses, they faced high fees, harassment from landlords and even the possibility of losing their homes. I'm proud of our Council for taking action quickly to protect them and thank the mayor for signing these bills that will allow our small business community to breathe a little easier. We will keep working to help our small businesses, which are the lifeblood of our neighborhoods," said **City Council Speaker Corey Johnson**.

"Small businesses in communities of color have disproportionately been impacted by COVID-19 and are among those struggling the most to survive," said **J. Phillip Thompson, Deputy Mayor of Strategic Policies Initiatives and Co-Chair of the Racial Inclusion and Equity Task Force**. "The bills signed today will give small business owners in our hardest-hit communities the support they need to get through this pandemic, and help ensure a fair and equitable recovery in New York City."

"Small businesses are the backbone of New York City's economy and our communities," said **Gregg Bishop, Senior Advisor for Small Business COVID-19 Recovery**. "This package of bills will ensure that small businesses in all five boroughs are central to our recovery. We will continue to hear the concerns of our small business community, and do everything possible to ensure they come back even stronger."

"In fighting this pandemic, the City must continue to offer solutions for communities against the growing set of new challenges brought by the COVID-19 outbreak," said **Louise Carroll, Commissioner of the NYC Department of Housing Preservation and Development**. "The health, safety and security of residents are indispensable priorities and we must do all we can to protect tenants from harassment. I applaud the Mayor and our partners in the City Council for providing the leadership we need during this challenging time."

"Now is the time to support our small businesses by providing much needed relief, removing burdensome fees and protecting business owners from harassment," said **Jonnel Doris, Commissioner of the NYC Department of Small Business Services**. "We will continue to provide our small businesses with necessary support as we chart our path toward recovery and growth."

“Our city’s restaurants are struggling during these challenging times,” said **Lorelei Salas, Commissioner of the NYC Department of Consumer and Worker Protection**. “We are proud to provide some relief so they can operate their open-air cafes without the usual fees and to protect them from high fees as they continue to deliver food to us.”

“Today, New York City takes a monumental step towards protecting small businesses struggling to survive in a global crisis. This package of third-party food delivery reforms will give locally-owned restaurants a fighting chance to stay open and pay their employees.” said **Council Member Mark Gjonaj, Chair of NYC Council Small Business Committee**.

“Billion-dollar tech companies are bleeding New York City’s mom and pop restaurants dry. With New Yorkers stuck in lockdown, neighborhood restaurants simply can’t contend with both a relentless pandemic stifling business and exorbitant fees slurping up what few sales are coming in. Covid-19 didn’t create this problem but like so many other longstanding issues, this crisis has deepened the inequity. Every day we hear of new restaurants who, facing little businesses and merciless fees from third-party food delivery apps, are left with no other option but to shut their doors permanently. This is a particular tragedy in immigrant communities like mine where restaurants are integral to our neighborhood’s character and a tether to our culture. By capping the fees third-party food apps can charge restaurants during declared states of emergency, we’re leveling the playing field for mom and pop restaurants and billion-dollar tech companies that live off them. I thank Mayor de Blasio for supporting this legislation and for taking this step to help our locally-owned restaurants survive this pandemic,” said **Council Member Francisco P. Moya**.

“This legislation represents the City’s dedication to the many small businesses, impacted by COVID-19, that are the backbone of New York City’s economy,” said **Council Member Adrienne Adams**. “Intro. 1914 will strengthen protections against commercial tenant harassment so that these businesses will have the opportunity to thrive in the future. I thank Speaker Johnson and my colleagues in the City Council for taking immediate steps and Mayor de Blasio for signing my bill into law today.”

“Thank you Mayor de Blasio for signing my bill and the other pieces of legislation today that will help countless small businesses and tenants as we respond to the COVID-19 pandemic. With the signing of my bill, any small business owner with a personal liability clause in their lease will see that provision temporarily suspended, and they will no longer have to fear their landlord going after their personal life savings and assets because of a disaster no one saw coming,” said **Councilwoman Carlina Rivera**.

“Our city’s businesses are facing an unprecedented economic crisis. The last thing they need to worry about as they try to reopen is getting fined for not renewing a permit. The Mayor did the right thing when he suspended permit renewals in his emergency order, and my legislation will give them some more breathing room when the order expires as well as clear guidance on what to do when they need to reapply, so they can focus on getting back on their feet. I thank the Speaker, my colleagues for their support on this legislation and the administration for working with me to get this done quickly,” said **Council Member Steven Matteo**.

“I thank Mayor de Blasio, Speaker Johnson and my colleagues in City Council for taking swift action on this legislation and their commitment to supporting our businesses through this crisis and beyond. New York’s small businesses are in urgent need of the City’s help. These businesses have always been the lifeblood of our City and they will play a central role in the City’s recovery. This legislation is an important first step in planning for a safe reopening of NYC’s restaurants with sidewalk cafes figuring into a recovery strategy to support socially distanced dining and expanded seating capacity. Eliminating burdensome sidewalk cafe fees will provide emergency relief to restaurants confronting huge revenue losses and unprecedented financial challenges so that they will have the opportunity to reopen and thrive in the future,” said **Council Member Andrew Cohen.**

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