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THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BRONX

NOTICE

A VIRTUAL PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Vanessa L. Gibson. This public hearing will be held on Thursday, October 10, 2024



commencing at 10:00 A.M. The public hearing may be accessed virtually using the link provided:

Bronx Borough President Public Hearing Notice – C 240104 ZMX – 438 Concord Avenue Rezoning and Related Actions

<https://bit.ly/438ConcordBxBP>
Meeting ID: 267 391 817 838
Passcode: Xf6maK

Or call in: 646-561-8032
Conference ID: 852 347 524#

Please submit any written testimony to: publictestimony@bronxbp.nyc.gov. Written testimony will always be accepted, but only testimony received by Wednesday, October 16th will be considered for the Borough President's recommendation.

APPLICATION NOS: C 240104 ZMX and N 240105 ZRX - 438 Concord Avenue Rezoning

IN THE MATTER OF an application submitted by BronxCo, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. Changing from an existing M1-2 District to an M1-4/R7D District property bounded by East 145th Street, Wales Avenue, a line 150 feet southerly of East 145th Street, and Concord Avenue; and
2. Establishing a Special Mixed-Use District (MX-18) bounded by East 145th Street, Wales Avenue, a line 150 feet southerly of East 145th Street, and Concord Avenue;

As shown on a diagram (for illustrative purposes only) dated June 24, 2024, and subject to the conditions of CEQR Declaration E-756

The full proposal can be accessed on the Zoning Application Portal: <https://zap.planning.nyc.gov/projects/2022X0152>.

Please direct any questions concerning this hearing to the Office of The Bronx Borough President, telephone: (718) 590-6124.

BOROUGH PRESIDENT - BROOKLYN

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to Section 197-c and Section 201 of the New York City Charter, the Brooklyn Borough President will hold a ULURP hearing on the matter below in person, at 5:00 P.M. on Wednesday, October 9, 2024, in the Borough Hall Courtroom, 209 Joralemon Street. The meeting will be recorded for public transparency.

Members of the public may watch a livestream of the hearing on WebEx at: <https://nycbp.webex.com/nycbp/j.php?MTID=m92ca110c548ad3aa4fe0a183908eeb9e>.

Webinar number: 2344 376 6738
Webinar password: BBPUH

Join by video system
Dial 23443766738@nycbp.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Join by phone:
+1-646-992-2010 United States Toll (New York City)
+1-408-418-9388 United States Toll
Access code: 234 437 66738

Testimony at the hearing is limited to 2 minutes, unless extended by the Chair. Pre-registration is not required. Testimony will only be accepted in person or in writing. For timely consideration, written comments must be submitted to testimony@brooklynbp.nyc.gov no later than Friday, October 11th, 2024.

For information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact Corina Lozada at corina.lozada@brooklynbp.nyc.gov at least five (5) business days in advance to ensure availability.

The following agenda items will be heard:

- 1. 2185 Coyle Street

A private application by 2185 Coyle Associates LLC for a zoning map amendment from R4/C1-2 to R6A/C2-4 and R7X/C2-4 and a zoning text amendment to include a new MIH Area to facilitate a new 9-story, 422,512 square foot mixed-use development (approximately 378,887 square feet of residential floor area and 43,626 square feet of commercial space) with approximately 435 apartments (109 income-restricted) at 2185 Coyle Street in Sheepshead Bay, Community District 15, Brooklyn.

- 2. 581 Grant Avenue Development

A public application by NYC Housing Preservation & Development (HPD) requesting a UDAAP Project Approval and Disposition of City-Owned Lot, a zoning map amendment from R5 to R6, and a zoning text amendment to designate an MIH area to facilitate the development of a new 7-story, approximately 144,000 square foot development including 135,206 square feet of residential (173 units), 8,775 square feet of ground floor community facility space, and 16,755 square feet of publicly accessible open space at 581 Grant Avenue in East New York, Community District 5, Brooklyn.

- 3. 441 & 467 Prospect Avenue Rezoning

A private application by Arrow Linen Supply Co., Inc. for a zoning map amendment from R5B to R7-1, a zoning special permit to waive required parking minimums, and a zoning text amendment to create an MIH area to facilitate two new 13-story buildings, with approximately 248,000 square feet of residential development including approximately 244 residential units at 441 & 467 Prospect Avenue in South Slope, Community District 7, Brooklyn.

Accessibility questions: Corina Lozada, corina.lozada@brooklynbp.nyc.gov, by: Wednesday, October 2, 2024, 5:00 P.M.



s30-o9

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing, accessible remotely and in person in the Committee

Room, City Hall, New York, NY 10007, on the following matters commencing at 12:00 P.M. on October 8, 2024. The hearing will be live-streamed on the Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12

C 230182 ZMK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 22c & 22d:

- 1. changing from an R5 District to an R6 District property bounded by 59th Street, 16th Avenue, a line midway between 59th Street and 60th Street, a line 100 feet northwesterly of 16th Avenue;
- 2. changing from an M1-1 District to an R6 District property bounded by a line midway between 59th Street and 60th Street, 16th Avenue, 60th Street, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), 15th Avenue, the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), and a line 460 feet southeasterly of 15th Avenue;
- 3. changing from an M1-1 District to a C4-5 District property bounded by the 61st Street, 15th Avenue, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), and New Utrecht Avenue; and
- 4. establishing within the proposed R6 District a C2-4 District bounded by the 59th Street, 16th Avenue, 60th Street, and a line 100 feet northwesterly of 16th Avenue;

subject to the conditions of CEQR Declaration E-749.

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12

N 230183 ZRK

Application submitted by Brooklyn Yards Development, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area and to modify APPENDIX I (Transit Zone).

To view the proposed text amendment, please refer to the public documents associated with this application that are accessible through the Zoning Application Portal maintained by the Department of City Planning, which can be accessed at the following website: zap.planning.nyc.gov/projects.

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12

C 230184 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution to reduce the number of required accessory offstreet parking spaces for dwelling units in a development within a Transit Zone,* that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1557 60th Street (Block 5516, p/o Lots 1 and 33), in an R6 District.**

*Note: Appendix I (Transit Zone, Map 13) of the Zoning Resolution is proposed to be changed to extend the boundary of the Transit Zone under a concurrent related application for a Zoning Text amendment (N 230183 ZRK).

**Note: This site is proposed to be rezoned by changing existing M1-1 District to an R6 District, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12

C 230185 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow a portion of a railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area for a proposed mixed use development, on property located at 1557 60th Street (Block 5509, Lots 41 and 57), in a R6 & R6/C2-4 Districts.*

*Note: This site is proposed to be rezoned by changing existing R5 and M1-1 Districts to R6 and R6/C2-4 Districts, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12

C 230188 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter

for the grant of a special permit pursuant to Section 74-745(a) of the Zoning Resolution to allow required or permitted accessory off-street parking spaces to be located anywhere within a large-scale general development without regard for zoning lot lines, in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 59th Street, 16th Avenue, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), New Utrecht Avenue, 61st Street, the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), a line 460 feet southeasterly of 15th Avenue, a line midway between 59th Street and 60th Street and the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division) (Block 5509, Lots 41 and 57; Block 5516, p/o Lots 1 and 33; Block 5727, p/o Lot 14), in R6, R6/C2-4 & C4-5 Districts.*

*Note: This site is proposed to be rezoned by changing existing R5 and M1-1 Districts to R6, R6/C2-4 & C4-5 Districts, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12 C 230189 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow that portion of a railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed mixed use development, on property located at 1557 60th Street (Block 5727, p/o Lot 14), in a C4-5 District.*

*Note: This site is proposed to be rezoned by changing existing M1-1 District to a C4-5 District, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12 C 230190 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-61 of the Zoning Resolution to allow that portion of a railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area, in connection with a proposed mixed use development, on property located at 1557 60th Street (Block 5516, p/o Lots 1 and 33), in an R6 District.*

*Note: This site is proposed to be rezoned by changing existing M1-1 District to a R6 District, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12 C 230191 ZSK

Application submitted by Brooklyn Yards Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1557 60th Street Avenue (Block 5727, p/o Lot 14), in a C4-5 District.*

*Note: This site is proposed to be rezoned by changing existing M1-1 District to a C4-5 District, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

BROOKLYN YARDS

BROOKLYN – CBs 11 & 12 C 230196 ZSK

Application submitted by Brooklyn Yards Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area and lot coverage without regard for the zoning lot lines or district boundaries;
2. Section 74-743(a)(2) - to modify the rear yard regulations of Sections 23-40 (Yard Regulations); and
3. Section 74-743(a)(6) - to modify the minimum distance between legally required windows and walls or lot lines regulations of Section ZR 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines);

in connection with a proposed mixed-use development, within a Large-Scale General Development generally bounded by 59th Street, 16th Avenue, the southerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division), New Utrecht Avenue, 61st Street, the northerly boundary line of Long Island Railroad right-of-way

(Bay Ridge Division), a line 460 feet southeasterly of 15th Avenue, a line midway between 59th Street and 60th Street and the northerly boundary line of Long Island Railroad right-of-way (Bay Ridge Division) (Block 5509, Lots 41 and 57; Block 5516, p/o Lots 1 and 33; Block 5727, p/o Lot 14), in R6, R6/C2-4 & C4-5 Districts, Borough of Brooklyn, Community Districts 11 and 12.*

*Note: This site is proposed to be rezoned by changing existing R5 and M1-1 Districts to R6, R6/C2-4 & C4-5 Districts, under a concurrent related application for a Zoning Map change (C 230182 ZMK).

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, October 3, 2024, 3:00 P.M.



o2-8

NOTICE IS HEREBY GIVEN that the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a public hearing, accessible remotely and in person in the Committee Room, City Hall, New York, NY 10007, on the following matters commencing at 11:00 A.M. on October 8, 2024. The hearing will be live-streamed on the Council's website at <https://council.nyc.gov/live/>. Please visit <https://council.nyc.gov/land-use/> in advance for information about how to testify and how to submit written testimony.

CONEY ISLAND PHASE III ARTICLE XI TAX EXEMPTION BROOKLYN CB – 13 G 240059 XAK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a real property tax exemption for property located at 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27), Community District 13, Council District 47.

CONEY ISLAND PHASE III ARTICLE XI DISPOSITION BROOKLYN CB – 13 G 240060 XAK

Application submitted by the Department of Housing Preservation and Development (HPD) for the proposed sale of 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27) to a developer to be selected by HPD, pursuant to Section 576-a(2) of the Private Housing Finance Law to facilitate the development of rental housing for low income families, Borough of Brooklyn, Community District 13, Council District 47.

SOUTH BUSHWICK NEIGHBORHOOD HOMES (SBNH) TAX EXEMPTION BROOKLYN CB – 4 G 240061 XUK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for an exemption from real property taxes for property located at Block 3389, Lot 45, Block 3232, Lot 63, Block 3440, Lot 35, Block 3401, Lots 37 and 38, Block 3444, Lot 18, Community District 4, Council Districts 34 and 37.

SOUTH BUSHWICK NEIGHBORHOOD HOMES II (SBNH) ACCELERATED UDAAP BROOKLYN CB – 4 G 240062 XUK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the GML for property located at 1277 Dekalb Avenue (Block 3232, Lot 63), 676 Central Avenue (Block 3440, Lot 35), Community District 4, Council Districts 34 and 37.

SOUTH BUSHWICK NEIGHBORHOOD HOMES III (SBNH) ACCELERATED UDAAP BROOKLYN CB – 4 G 240063 XUK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the GML for property located at 1143 Hancock Street (Block 3389, Lot 45) Community District 4, Council District 37.

For questions about accessibility and requests for additional accommodations, please contact swerts@council.nyc.gov or

nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, October 3, 2024, 3:00 P.M.



o2-8

CITY PLANNING COMMISSION

PUBLIC HEARINGS

The City Planning Commission will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, October 16, 2024, regarding the calendar items listed below. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/461617/1

Members of the public attending remotely should observe the meeting through DCP's website. Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free
888 788 0099 US Toll-free

253 215 8782 US Toll Number
213 338 8477 US Toll Number

Meeting ID: 618 237 7396
[Press # to skip the Participation ID]
Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage (link above).

Written comments will also be accepted until 11:59 P.M., one week before the date of the vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling 212-720-3508. Requests must be submitted at least five business days before the meeting.

BOROUGH OF BROOKLYN

No. 1

850 THIRD AVENUE ACS SITE SELECTION / ACQUISITION

CD 7

C 250029 PCK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services and the Administration for Children's Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 850 3rd Avenue (Block 671, p/o Lot 1 and Block 675, p/o Lot 10), for use as a trade shop and parking, Borough of Brooklyn, Community District 7.

Sara Avila, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3366

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Tuesday, October 8, 2024 5:00 P.M.



o1-16

COMMUNITY BOARDS

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the following matter has been scheduled for public hearing by Community Board No.

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 03 - Tuesday, October 8, 2024, 6:00 P.M. at Children's Circle Day Care Center, at 1332 Fulton Avenue, Bronx, NY 10456.

FY2026 Capital and Expense Budget Requests & Community District Needs Statement Recommendations

Accessibility questions: Etta Ritter, (718) 378-8054 x141, eritter@cb.nyc.gov, by: Monday, October 7, 2024, 12:00 P.M.



o2-8

BOARD OF CORRECTION

MEETING

The New York City Board of Correction will hold a public meeting on Tuesday, October 8, 2024, at 1:00 P.M. The Board will discuss issues impacting the New York City jail system.

More information is available on the Board's website at https://www.nyc.gov/site/boc/meetings/2024-meetings.page.

o2-8

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, October 8, 2024, a public hearing will be held in the public hearing room at 1 Centre Street, 9th Floor, Borough of Manhattan, with respect to the following properties, and then followed by a public meeting. Participation by video conference may be available as well. Please check the hearing page on LPC's website (https://www.nyc.gov/site/lpc/hearings/hearings.page) for updated hearing information.

The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Please note that the order and estimated times are subject to change. An overflow room is located outside of the primary doors of the public hearing room. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact Gregory Cala, Community and Intergovernmental Affairs Coordinator, at gcala@lpc.nyc.gov or (212) 602-7254 no later than five (5) business days before the hearing or meeting. Members of the public not attending in person can observe the meeting on LPC's YouTube channel at www.youtube.com/nyclpc and may testify on particular matters by joining the meeting using either the Zoom app or by calling in from any phone. Specific instructions on how to observe and testify, including the meeting ID and password, and the call-in number, will be posted on the agency's website, on the Monday before the public hearing.

37 South Oxford Street - Fort Greene Historic District

LPC-24-11403 - Block 2101 - Lot 19 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A transitional Greek Revival-Italianate style row house built c. 1853. Application is to construct a rear yard deck and pergola.

565 9th Street - Park Slope Historic District

LPC-25-00544 - Block 1091 - Lot 45 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style rowhouse designed by Benjamin Driesler and built in 1902-1903. Application is to alter a rear extension.

851 Park Place - Crown Heights North Historic District

LPC-24-11111 - Block 1234 - Lot 70 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style single-family residence designed by Frank S. Lowe and built c. 1908. Application is to construct a rooftop addition, install a fire escape and deck, and alter the rear façade.

4401 Manhattan College Parkway - Fieldston Historic District
LPC-23-04449 - Block 581 - Lot 105 - Zoning: R1-2/NA-2
CERTIFICATE OF APPROPRIATENESS

A Mediterranean Revival style house designed by Dwight James Baum and built in 1930-31. Application is to legalize the removal of a staircase and construction of an above ground pool and deck, replacement of areaway ironwork and historic gates, windows, doors, and gutters, and the installation of balcony, awning, lighting, cameras, and speakers without Landmarks Preservation Commission permit(s).

99 Wooster Street - SoHo-Cast Iron Historic District
LPC-25-00606 - Block 501 - Lot 30 - Zoning: M1-5/R7X
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec/ Queen Anne style firehouse designed by Napoleon LeBrun and Son and built in 1881-82. Application is to install a banner sign.

560 Broadway (aka 560-566 Broadway, 72-78 Prince Street, 98-104 Crosby Street) - SoHo-Cast Iron Historic District
LPC-25-02137 - Block 497 - Lot 18 - Zoning: M1-5/R9X, SNX
CERTIFICATE OF APPROPRIATENESS

A store building designed by Thomas Stent and built in 1883-84. Application is to install interior digital screens.

54 West 22nd Street - Ladies' Mile Historic District
LPC-24-07428 - Block 823 - Lot 72 - Zoning: C6-4A
CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style store building designed by Stephenson & Greene and built in 1896-97. Application is to remove a fire escape.

Central Park - Scenic Landmark
LPC-25-01251 - Block 1111 - Lot 1 - Zoning: Park
BINDING REPORT

A building constructed in Sweden for the 1876 Philadelphia Exposition in Fairmont Park, and moved to its current site within Central Park an English Romantic style park, designed in 1858 by Frederick Law Olmstead and Calvert Vaux. Application is to install bronze railings at existing exterior stairs and a ramp and to install two flag poles on the site.

s24-o7

TEACHERS' RETIREMENT SYSTEM

MEETING

Please be advised that the next Board Meeting of the Teachers' Retirement System of the City of New York (TRS) has been scheduled for Thursday, October 17, 2024, at 3:30 P.M.

The meeting will be held at the Teachers' Retirement System, 55 Water Street, 16th Floor, Boardroom, New York, NY 10041. The meeting is open to the public. However, portions of the meeting, where permitted by law, may be held in executive session.

The remote Zoom meeting link, meeting ID, and phone number will be available approximately one hour before the start of the meeting at: <https://www.trsnyc.org/memberportal/About-Us/ourRetirementBoard>.

Learn how to attend TRS meetings online or in person: <https://www.trsnyc.org/memberportal/About-Us/ourRetirementBoard/AttendingTRSM Meetings>.

o3-17

PROPERTY DISPOSITION

The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

CITYWIDE ADMINISTRATIVE SERVICES

SALE

The City of New York in partnership with IAAI.com posts vehicle and heavy machinery auctions online every week at: <https://iaai.com/search?keyword=dcas+public>.

All auctions are open to the public and registration is free.

Vehicles can be viewed in person at:
Insurance Auto Auctions, Green Yard
137 Peconic Ave., Medford, NY 11763
Phone: (631) 207-3477

No previous arrangements or phone calls are needed to preview. Hours are Monday from 10:00 A.M. - 2:00 P.M.

ja19-jy3

HOUSING PRESERVATION AND DEVELOPMENT

PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property, appear in the Public Hearing Section.

ja16-d31

PROCUREMENT

"Compete To Win" More Contracts!

Thanks to a new City initiative - "Compete To Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and Women-Owned Businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- *Win More Contracts, at nyc.gov/competetowin*

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed, to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

HHS ACCELERATOR PREQUALIFICATION

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic HHS Accelerator Prequalification Application using the City's PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed, at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public

All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www.nyc.gov/site/mocs/hhsa/hhs-accelerator-guides.page>

CORRECTION

TRAINING AND DEVELOPMENT

AWARD

Services (other than human services)

CASAC TRAINING PROGRAM - Other - PIN#07224U0005001 - AMT: \$80,750.00 - TO: Vertex L.L.C., 1080 E. Gunhill Road, Bronx, NY 10469.

Credentialed Alcoholism and Substance Abuse Counselor (CASAC) Training program for twenty-five (25) participants to train in the CASAC from the date of registration until June 30, 2024, at a cost totaling \$80,750.00.

03

DESIGN AND CONSTRUCTION

SAFETY AND SITE SUPPORT

AWARD

Construction/Construction Services

PW335BS13, BULK SAMPLING AND LAB SERVICES - Renewal - PIN#85022B0035001R001 - AMT: \$150,000.00 - TO: Kam Consultants Corp., 35-40 36th St, Long Island City, NY 11106-1337.

In conjunction with asbestos and lead abatement and the assessment of mold Citywide.

As per PPB Rule 3-10 (a) and (b), Special Case Determination does not apply to construction contracts.

03

HOUSING AUTHORITY

PROCUREMENT

SOLICITATION

Goods and Services

SMD SERVICES IDIQ CONTRACT FOR RESPONSE TO ELEVATOR OUTAGES-EMERG. REPAIR/RESTORATION CITYWIDE WITH BOROUG FOCUS - Competitive Sealed Bids - Due 11-14-24 at 10:00 A.M.

PIN# 507471 - Bronx
PIN# 507472 - Brooklyn
PIN# 507473 - Manhattan
PIN# 507474 - Queens & Staten Island

IDIQ Contract for Response to Elevator Outages Emergency Repairs & Restoration, Citywide with Borough Focus.

Scope of work: Respond to Elevator Service Disruptions and perform emergency service repairs Citywide with Borough focus.

No Bid Security Required.

All vendors are required to participate in NYCHA's MWBE Utilization Plan. Vendors are required to complete and submit at least ONE of the following items by the due date listed: A. MWBE Utilization Plan: At time of bid submission B. Waiver of MWBE Utilization Plan: At least Seven (7) days prior to bid due date. (Partial Waivers MUST be accompanied by MWBE Utilization Plan Failure to complete the MWBE Utilization Plan or Waiver may deem your bid non-responsive.

The term of this Contract shall be for a period of three (3) years from the commencement date specified on NYCHA's Notice to Proceed. NYCHA, in its sole discretion, shall have the option to extend the Term of this Contract for up to two (2), one-year renewals.

A non-mandatory virtual Pre-bid Conference will be held on Thursday, October 10, 2024 at 10:30 A.M., and will be conducted remotely via Microsoft Teams meeting. Although attendance is not mandatory at the

Pre-Bid Conference, it is strongly recommended that all interested Bidders attend, and that Bidders thoroughly review bid documents in advance of the meeting. To participate in the Pre-Bid Conference, please follow the instructions below:

Option 1: Copy and paste the below in browser

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NmU2YmM5ODEtMTNiNS00MzYzLTk5NGMtOWZiODMxM2VINzcz%40thread.v2/0?context=%7b%22Tid%22%3a%22709ab558-a73c-4f8f-98ad-20bb096cd0f8%22%2c%22Oid%22%3a%22d6909180-bbaf-4dea-90f3-9bc573dc019d%22%7d

Join by entering the meeting ID:

263 075 336 89 Passcode: Y5SGZ7

Option 2: call in (audio only)

+1 646-838-1534,,562311184#

Phone conference ID: 562 311 184#

RFQ Questions Submission Deadline 10/17/2024

Questions and Answers Release Date 10/24/2024

In addition to the documents attached below, bidders are directed to review the Special Notices and Conditions, Instructions to Bidders, and General Conditions prior to submitting a bid. To access these documents, click on the "Contract Terms" tab above, and then "Preview Contract Terms," to download a PDF version.

Please note that in the event NYCHA receives no responses in connection with this RFQ by the original bid submission deadline, the bid submission deadline shall be extended automatically for seven (7) calendar days. The foregoing extension does not in any way limit NYCHA's right to extend the bid submission deadline for any other reason.

Prior to submitting a bid, please confirm that your bid response includes all required forms and documentation and that all required forms and documentation are properly completed, signed, and notarized, where applicable.

Note: We are accepting only electronic bids submitted online via iSupplier. Paper bids will not be accepted or considered. Please contact NYCHA Procurement at procurement@nycha.nyc.gov for assistance.

Please note: An Up-to-Date Prevailing Wages Links are posted on iSupplier under Quick Links Section of Sourcing Supplier. The vendors are responsible for being informed of any updates to the Prevailing Wage Schedule.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website by going to <http://www.nyc.gov/nychabusines>. On the left side, click on "iSupplier Vendor Registration/Login" link. (1) If you have an iSupplier account, then click on the "Login for registered vendors" link and sign into your iSupplier account. (2) If you do not have an iSupplier account you can request an account by clicking on "New suppliers register in iSupplier" to apply for log-in credentials. Once you have accessed your iSupplier account, log into your account, then choose under the Oracle Financials home page, the menu option "Sourcing Supplier", then choose "Sourcing", then choose Sourcing Homepage"; and conduct a search in the "Search Open Negotiations" box for RFQ Number(s) 507472, 507473, 507474.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007.
Cheryl Barr (212) 306-6487; cheryl.barr@nycha.nyc.gov

03

HOUSING PRESERVATION AND DEVELOPMENT

ENS CONSTRUCTION

AWARD

Construction/Construction Services

IMMEDIATE EMERGENCY DEMO 8 GAR MONACO PL AKA 1342 GAR HERKIMER ST BK - Emergency Purchase -

PIN# 80624E0067001 - AMT: \$159,345.00 - TO: Granite Environmental LLC, 847-Shepherd Avenue, Brooklyn, NY 11208.

03

EMERGENCY DEMOLITION 4-03 CROSS BAY BLVD QN

- Emergency Purchase - PIN# 80625E0001001 - AMT: \$282,774.00 - TO:

Granite Environmental LLC, 847-Shepherd Avenue, Brooklyn, NY 11208.

o3

NYC HEALTH + HOSPITALS

SOLICITATION

Services (other than human services)

CLOUD CENTER OF EXCELLENCE - Request for Proposals - PIN# 2801 - Due 10-3-24 at 5:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYC Health + Hospitals, 50 Water Street, 5th Floor, New York, NY 11003. Dan Romagnoli (646) 815-3703; rfp_contacts@nychhc.org

o3

METROPLUS HEALTH PLAN

SOLICITATION

Services (other than human services)

RFI FOR CUSTOMER SERVICE CONCIERGE INITIATIVE - Request for Information - PIN# M-RFI1004 - Due 10-17-24 at 3:00 P.M.

The purpose of this RFI is to identify potential vendors with capabilities related to all facets of the Customer Service Concierge Initiative for a large health plan in New York City. We are seeking information on the type of services that currently exist in the market and are interested in learning about your company's experience and capabilities with this type of service. We invite you to submit what you feel are the most important technical and operational strengths for MetroPlus to consider when determining our future strategy, including answers to our specific questions found starting on Section IV of this document. Any additional background information or context that may be useful can be included as appendices.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYC Health + Hospitals, 50 Water Street, 12th Floor, New York, NY 10004. Kathleen Nolan (212) 908-8600; procurement@metroplus.org

o3

PARKS AND RECREATION

REVENUE

SOLICITATION

Goods and Services

RENOVATION, OPERATION, AND MAINTENANCE OF A CAFÉ, AND TWO (2) SATELLITE SNACK BAR KIOSKS, IN UNION SQUARE PARK - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# M89-SB-R-2024 - Due 11-8-24 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a significant Request for Proposals ("RFP") for the renovation, operation, and maintenance of a café and two (2) satellite snack bar kiosks, in Union Square Park, Manhattan.

There will be a recommended remote proposer meeting on Wednesday, October 16, 2024, at 11:00 A.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The link for the remote proposer meeting is as follows: https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDNjMTM2ZDktNDI4Zi00MzI5LTlhMGQtNTM0ZDlmM2E3NTQ3%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%220id%22%3a%22a97dac78-da92-4e46-8b96-0eda2d11da22%22%7d

You may also join the remote proposer meeting by phone using the following information: Phone # +1 646-893-7101 Phone Conference ID: 470 974 163#

Subject to availability and by appointment only, we may set up site meetings at the proposed concession site.

Hard copies of the RFP can be obtained at no cost, through November 8, 2024, by contacting Jeremy Holmes, Deputy Director of Concession Compliance at (212) 360-3455 or at Jeremy.Holmes@parks.nyc.gov.

The RFP is also available for download, through November 8, 2024, on Parks' website. To download the RFP, visit http://www.nyc.gov/parks/businessopportunities and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, 830 5th Avenue, Room 407, New York, NY 10065. Jeremy Holmes (212) 360-3455; Jeremy.Holmes@parks.nyc.gov

Accessibility questions: Jeremy Holmes, (212) 350-3455, jeremy.holmes@parks.nyc.gov, by: Friday, November 8, 2024, 3:00 P.M.



o2-16

RENOVATION, OPERATION, AND MAINTENANCE OF A FOOD SERVICE FACILITY AND SPECIAL EVENT CONCESSION AT SOUTH BEACH RECREATION AREA - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# R46-R-2024 - Due 11-15-24 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a significant Request for Proposals ("RFP") for the renovation, operation, and maintenance of a food service facility and special event concession at South Beach Recreation Area, Staten Island.

There will be a recommended remote proposer meeting on Friday, October 18, 2024, at 12:00 P.M. If you are considering responding to this RFP, please make every effort to attend this recommended remote proposer meeting.

The link for the remote proposer meeting is as follows: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODAxZmM1MTAtZDgyNy00ZTk5LWE3NmQtYjg5M2MxYjA1MzU0%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%220id%22%3a%22a97dac78-da92-4e46-8b96-0eda2d11da22%22%7d

You may also join the remote proposer meeting by phone using the following information:

Phone #+1 646-893-7101 Phone Conference ID: 487 364 138#

Subject to availability and by appointment only, we may set up site meetings at the proposed concession site.

Hard copies of the RFP can be obtained at no cost, through November 15, 2024, by contacting Jeremy Holmes, Deputy Director of Concession Compliance at (212) 360-3455 or at Jeremy.Holmes@parks.nyc.gov.

The RFP is also available for download, through November 15, 2024, on Parks' website. To download the RFP, visit http://www.nyc.gov/parks/businessopportunities and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFP's description.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, 830 5th Avenue, Room 407, New York, NY 10065. Jeremy Holmes (212) 360-3455; Jeremy.Holmes@parks.nyc.gov

Accessibility questions: Jeremy Holmes, jeremy.holmes@parks.nyc.gov, (212) 360-3455, by: Friday, November 15, 2024, 3:00 P.M.



o2-16

YOUTH AND COMMUNITY DEVELOPMENT

YOUTH SERVICES

■ AWARD

Human Services/Client Services

NEIGHBORHOOD YOUTH TEAM SPORTS - Negotiated Acquisition/Pre-Qualified List - PIN#26024N0500029 - AMT: \$50,000.00 - TO: South Bronx United Inc, 814 River Avenue, Suite 2-3, Bronx, NY 10451.

DYCD would release a competitive NAQ which could potentially lead to DYCD negotiating with those who respond and would be found viable to operate Youth Team Sports program and who do not currently hold a DYCD contract to expand the provider pool and capacity. DYCD makes this request pursuant to Section 3-04(b)(2)(i)(B) as funds available from the New York State Office of Children and Family Services (OCFS) will be lost to the City if DYCD is unable to start the competitive NAQ. The New York State Office of Children and Family Services (OCFS) created the new fund in the state's fiscal year 2023-2024 budget to provide awards to support youth team sports programs for underserved youth under age 18. The funding supports youth development through team sports programs and would be awarded to local community-based organizations and nonprofits. Grant requires the City to have funds awarded and expensed prior to the grant end date of September 30, 2024. Therefore, DYCD is allocating \$1,500,000 of this grant for an opportunity to recruit new providers. It's anticipated the new providers will operate programs between April 1, 2024 to June 30, 2024 to ensure DYCD is within the grant's award terms.

◀ 03

NEIGHBORHOOD YOUTH TEAM SPORTS - Negotiated Acquisition/Pre-Qualified List - PIN#26024N0500023 - AMT: \$50,000.00 - TO: New Heights Youth Inc, 2472 Broadway, PMB 112, New York, NY 10025.

DYCD would release a competitive NAQ which could potentially lead to DYCD negotiating with those who respond and would be found viable to operate Youth Team Sports program and who do not currently hold a DYCD contract to expand the provider pool and capacity. DYCD makes this request pursuant to Section 3-04(b)(2)(i)(B) as funds available from the New York State Office of Children and Family Services (OCFS) will be lost to the City if DYCD is unable to start the competitive NAQ. The New York State Office of Children and Family Services (OCFS) created the new fund in the state's fiscal year 2023-2024 budget to provide awards to support youth team sports programs for underserved youth under age 18. The funding supports youth development through team sports programs and would be awarded to local community-based organizations and nonprofits. Grant requires the City to have funds awarded and expensed prior to the grant end date of September 30, 2024. Therefore, DYCD is allocating \$1,500,000 of this grant for an opportunity to recruit new providers. It's anticipated the new providers will operate programs between April 1, 2024 to June 30, 2024 to ensure DYCD is within the grant's award terms.

◀ 03

NEIGHBORHOOD YOUTH TEAM SPORTS - Negotiated Acquisition/Pre-Qualified List - PIN#26024N0500026 - AMT: \$50,000.00 - TO: The Community Initiatives of NC, 2293 Adam Clayton Powell Jr. T.C.I.O.N.Y, New York, NY 10030.

DYCD would release a competitive NAQ which could potentially lead to DYCD negotiating with those who respond and would be found viable to operate Youth Team Sports program and who do not currently hold a DYCD contract to expand the provider pool and capacity. DYCD makes this request pursuant to Section 3-04(b)(2)(i)(B) as funds available from the New York State Office of Children and Family Services (OCFS) will be lost to the City if DYCD is unable to start the competitive NAQ. The New York State Office of Children and Family Services (OCFS) created the new fund in the state's fiscal year 2023-2024 budget to provide awards to support youth team sports programs for underserved youth under age 18. The funding supports youth development through team sports programs and would be awarded to local community-based organizations and nonprofits. Grant requires the City to have funds awarded and expensed prior to the grant end date of September 30, 2024. Therefore, DYCD is allocating \$1,500,000 of this grant for an opportunity to recruit new providers. It's anticipated the new providers will operate programs between April 1, 2024 to June 30, 2024 to ensure DYCD is within the grant's award terms.

◀ 03

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 298-0734. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ADMINISTRATION FOR CHILDREN'S SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Friday, October 25, 2024 commencing at 10:00 A.M. on the following contract:

IN THE MATTER OF one (1) proposed contract between the Administration for Children's Services and Compulink Technologies Inc, located at 260 W 39th Street, RM 302, New York, NY 10018, EPIN: #06825W0016001, in the amount of \$115,539.26. The proposed contract is for Seamless GovOS-E forms Platform with a term of January 21,2025 to January 26, 2026.

The proposed contractor has been selected by means of the M/WBE Small Purchase procurement method, pursuant to Section 3-08 (c)(1) (iv) of the Procurement Policy Board Rules.

In order to access the Public Hearing or to testify, please join the public hearing WebEx call by calling 1-646-992-2010 (New York), 1-408-418-9388 (outside of NY), Meeting ID# 2337 167 5485, no later than 9:50 A.M. on the date of the hearing. A copy of the draft contract is available for public inspection at the Administration for Children's Services' Office of Procurement, located at 150 William Street, 9th Fl., New York, NY 10038.

If you would like to arrange a viewing of the draft contract or if you require further accommodations, please contact Joyce Caballero at joyce.caballero@acs.nyc.gov, no later than three business days before the hearing date.

◀ 03

ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Department of Environmental Protection via conference call on October 4, 2024, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Environmental Protection and Vinoleo Solution & Services Corporation located at 201-15 33rd Ave., Bayside, NY 11361 for Fire Alarm & Suppression Maintenance. The Contract term shall be one calendar year from the date of the written notice to proceed. The Contract amount shall be \$1,343,171.72. Location: 59-17 Junction Blvd, Flushing, NY 11373. PIN#5012517X.

The Vendor was selected by MWBE Noncompetitive Small Purchase pursuant to Section 3-08(c)(1)(iv) of the PPB Rules.

In order to access the Public Hearing and testify, please call 1-347-921-5612, Access Code: 44343936# no later than 9:55 A.M. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at noahs@dep.nyc.gov.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by September 26, 2024, from any individual a written request to speak at this hearing, then DEP need not conduct

this hearing. Requests should be made to Mr. Noah Shieh via email at noahs@dep.nyc.gov.

o3



HOUSING PRESERVATION AND DEVELOPMENT

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development (HPD) proposes to add a new Chapter 64 to Title 28 of the Rules of the City of New York to implement the Affordable Housing from Commercial Conversions Tax Incentive Benefits program adopted by the New York State Legislature in Chapter 56 of the Laws of 2024.

When and where is the Hearing? HPD will hold a public hearing on the proposed rules online. The public hearing will take place from 10:30 A.M. to 12:00 P.M. on Wednesday, November 6, 2024.

To participate in the public hearing, enter the Webex URL: https://nychpd.webex.com/nychpd/j.php?MTID=m167231ef53f3c5914caa55927e79360b.

If prompted to provide a password or number, please enter the following:

Meeting Number: 2335 322 9893
Password: puVCGzPJ828

You may also join the hearing via device audio or dial-in via phone.

To join by video system: Dial 23353229893@webex.com You can also dial 173.243.2.68 and enter your meeting number.

To dial-in via phone, please use the following dial in number and participant code:

Phone Number: 1-646-992-2010
Access Code: 2335 322 9893

If you have low bandwidth or inconsistent internet connection, use the dial-in option for the hearing. This will reduce the possibility of dropped audio and stutters.

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 written comments to rules@hpd.nyc.gov.
Mail. You can mail written comments to John Leonard, TIP Executive Director, 100 Gold Street, Room 8D-09, New York, New York 10038.
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) 863-6603 or emailing leonardj@hpd.nyc.gov by November 5, 2024 at 5:00 P.M. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign-up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a "Question and Answer" format.

Is there a deadline to submit written comments? All written comments must be submitted on or before November 6, 2024.

What if I need assistance to participate in the Hearing? You must tell HPD if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 863-6603 or e-mail at leonardj@hpd.nyc.gov.

Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by October 30, 2024.

This hearing has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing and audio-only access for persons with vision impairments.

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 a recording of oral comments concerning the proposed rules will be available to the public.

What authorizes HPD to make this rule? Sections 1043 and 1802 of the City Charter, and Section 467-m of the New York State Real Property Tax Law authorize HPD to make these proposed rules. The proposed rules were not included in HPD's regulatory agenda for this fiscal year because it was not anticipated when the agenda was developed.

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(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Statutory Background

In 2024, the Legislature amended the New York State Real Property Tax Law ("RPTL") to add a new section 467-m (the "Act"), which established the Affordable Housing from Commercial Conversions Tax Incentive Benefits program ("AHCC Program Benefits") in order to provide real property tax exemptions for the conversions of non-residential buildings, other than a hotel or other class B multiple dwelling, to residential use. AHCC Program Benefits are available to eligible multiple dwellings, as that term is defined in the Act, that contain six or more dwelling units, where the conversion commenced after December 31, 2022, and on or before June 30, 2031, and completed on or before December 31, 2039. Eligible multiple dwellings must be operated as rental housing.

AHCC Program Benefits

AHCC Program Benefits vary depending upon the location and timing of the project. The Act divides projects into two geographic groups: projects located in the Manhattan prime development area—defined as a tax lot entirely south of 96th Street in Manhattan—receive a greater level of exemption from real property taxes, whereas projects located anywhere in the City outside the Manhattan prime development area receive a lower exemption. The Act also groups projects based on their commencement date, as that term is defined in the Act. All qualifying projects receive a 100% exemption for up to three years during construction.

- An eligible multiple dwelling that has a commencement date on or before June 30, 2026, receives for the first 30 years following the "construction period", as that term is defined in the Act: (A) within the Manhattan prime development area, a 90% exemption; and (B) outside of the Manhattan prime development area, a 65% exemption. In both instances, this is followed by a 5-year phase out of the exemption.
An eligible multiple dwelling that has a commencement date on or before June 30, 2028, receives for the first 25 years following the construction period: (A) within the Manhattan prime development area, a 90% exemption; and (B) outside of the Manhattan prime development area, a 65% exemption. In both instances, this is followed by a 5-year phase out of the exemption.
An eligible multiple dwelling that has a commencement date on or before June 30, 2031, receives for the first 20 years following the construction period: (A) within the Manhattan prime development area, a 90% exemption; and (B) outside of the Manhattan prime development area, a 65% exemption. In both instances, this is followed by a 5-year phase out of the exemption.

Prevailing Wages for Building Service Employees

All eligible multiple dwellings must pay prevailing wages to building service employees—defined in the Act to refer to those who are regularly employed at and care and maintain such eligible multiple dwelling—unless such eligible multiple dwelling contains less than 30 dwelling units or is the result of a conversion carried out with the substantial assistance of grants, loans or subsidies provided by a federal, state or local governmental agency or instrumentality pursuant to a program for the development of affordable housing. Furthermore, any eligible multiple dwelling that does not qualify for

an exemption from the prevailing wage requirements must submit annual sworn affidavits to the Comptroller ensuring compliance. HPD must publish a list annually of the eligible multiple dwellings subject to this requirement.

Affordable Housing Unit Requirements

The Act defines the term “affordable housing unit” to refer to units that meet certain specified affordability criteria, and the Act requires that all such units be permanently rent stabilized.

The Act further requires that all affordable housing units in an eligible multiple dwelling have a unit mix (i.e. assortment of one-bedrooms, two-bedrooms, etc.) that is proportional to the unit mix for such eligible multiple dwelling’s market units (defined in the Act as units other than affordable housing units). Alternatively, at least 50% of the affordable housing units must have two or more bedrooms and no more than 25% can have less than one bedroom. These requirements do not apply if preempted by the requirements of a federal, State or local housing program.

All rental dwelling units in an eligible multiple dwelling must share the same common entrances and common areas as market units and must not be isolated to a particular floor or area of an eligible multiple dwelling.

Affordable housing units cannot be rented on a temporary, transient or short-term basis, and each lease and renewal thereof must be for one to two years, at the option of the tenant. Such units cannot be converted to cooperative or condominium ownership.

By rule, HPD may establish requirements it deems appropriate for the marketing of affordable housing units, monitoring of compliance, and establishment of marketing bands.

Program Restrictions and Penalties

Concurrent exemptions or abatements are prohibited, but projects may voluntarily renounce or terminate AHCC Program Benefits if HPD so authorizes in connection with a new tax exemption pursuant to either the Private Housing Finance Law or Real Property Tax Law Section 420-c.

HPD may terminate or revoke AHCC Program Benefits for failure to comply with the provisions of the Act other than the prevailing wage requirements, and also may revoke AHCC Program Benefits if a Covered Building Service Employer, as defined in subdivision 7 of the Act, has committed three violations of the building service employee prevailing wage requirements within a five year period. Such violations are determined by a finding by the Comptroller. The Comptroller must notify applicants after a second such violation and publish a list on its website of all applicants with two such violations. If AHCC Program Benefits are revoked, all affordable housing units remain subject to rent stabilization and all other requirements of the Act in perpetuity.

HPD also has the authority to impose penalties for violations of the affordability requirements established by the Act on and after the expiration date of the benefit period and to establish the schedule and method of calculation of such fines by rule.

Applications and Fees

Applications must be filed no earlier than the completion date and not later than one year after the completion date with a filing fee of \$3000 per dwelling unit. HPD is authorized to promulgate rules imposing a lesser fee for governmentally assisted housing and to require a portion of the filing fee to be paid upon the submission of information—defined in the Proposed Rules as the “Workbook”—HPD requires to commence the marketing process for Affordable Housing Units.

The Proposed Rules

The Proposed Rules, among other things:

- provide application procedures and requirements;
- enumerate the types of permits that would determine the commencement date;
- specify that the gross cubic content of an eligible multiple dwelling must be comprised of at least 50% of the pre-existing non-residential building, as defined in the Act, that was converted;
- establish the rent and income restrictions that apply to the affordable housing units;
- require that tenants of affordable housing units be offered either a one- or two-year rent stabilized lease, at their option;
- prohibit affordable housing units from being operated as a hotel or rented to corporations, partnerships or other entities;
- establish distribution requirements regarding the location of affordable housing units in relation to market units in the multiple dwelling; and
- provide the method for calculating penalties that may be imposed for violations of the affordability requirements of the

Act on or after expiration of the benefit period and for the publication of the penalty schedule on HPD’s website.

HPD’s authority for these rules is found in sections 1043 and 1802 of the New York City Charter, and Section 467-m of the Real Property Tax Law.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Title 28 of the Rules of the City of New York is amended by adding a new Chapter 64 to read as follows:

Chapter 64

AFFORDABLE HOUSING FROM COMMERCIAL CONVERSIONS TAX INCENTIVES BENEFITS PROGRAM PURSUANT TO SECTION 467-M OF THE REAL PROPERTY TAX LAW

§ 64-01 Definitions.

As used in this chapter, the following terms shall have the following meanings. Capitalized terms not specifically defined in this chapter shall have the meanings set forth in the Act.

Act. “Act” means section four hundred sixty-seven m of the real property tax law, as amended.

Actual Rents. “Actual Rents” means the proposed initial monthly actual rents listed in the Workbook for the Affordable Housing Units.

Aggregate Floor Area of Eligible Multiple Dwelling. “Aggregate Floor Area of Eligible Multiple Dwelling” means the sum of the Floor Area in the Eligible Multiple Dwelling.

Aggregate Floor Area of Ineligible Space in Eligible Multiple Dwelling. “Aggregate Floor Area of Ineligible Space in Eligible Multiple Dwelling” means the sum of the Floor Area of Ineligible Space in the Eligible Multiple Dwelling.

Area Median Income. “Area Median Income” means the area median income for the primary metropolitan statistical area as determined by the United States Department of Housing and Urban Development or its successors from time to time for a family of four, as adjusted for family size.

Building. “Building” shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Building Segment. “Building Segment” shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Commercial Space. “Commercial Space” means any space within an Eligible Multiple Dwelling that is devoted to commercial, community facility, or other non-residential use.

Common Area. “Common Area” means any space within an Eligible Multiple Dwelling to which the residents of two or more rental dwelling units have access without paying a usage fee and that is not located in a rental dwelling unit, in a Commercial Space or in a Service Area.

Dwelling Unit. “Dwelling Unit” means one or more living rooms, arranged to be occupied as a unit separate from all other rooms within a dwelling, with lawful sanitary facilities and a lawful kitchen or kitchenette for the exclusive use of the family residing in such unit, except that for the purposes of this chapter, such term shall include units in all facilities that are licensed by the New York State Department of Health as an Adult Care Facility and Assisted Living Residence and operated as an Enriched Housing Program, including any units within the Adult Care Facility that are also certified as Special Needs Assisted Living Residence (SNALR) units and/or Enhanced Assisted Living Residence (EALR) units.

Gross Cubic Content. “Gross Cubic Content” means the volume within the exterior faces of the perimeter walls (or center line of party walls), above legal grade, and below the roof level, plus any legal residential space below grade level. Roof bulkheads or roof penthouses used exclusively for machinery or equipment shall not be included. New exterior stair towers or elevator shafts shall not be included, unless they substitute for existing stair or elevator space which is converted to residential space.

Hotel. “Hotel” means (i) any Class B multiple dwelling, as such term is defined in the Multiple Dwelling Law; (ii) any structure or part thereof containing living or sleeping accommodations which is used or intended to be used for transient occupancy; (iii) any apartment hotel or transient hotel as defined in the Zoning Resolution; or (iv) any structure or part thereof which is used to provide short term rentals or owned or leased by an entity engaged in the business of providing short term rentals. For purposes of this definition, a lease, sublease, license

or any other form of rental agreement for a period of less than one year shall be deemed to be a short term rental. Notwithstanding the foregoing, Market Units owned or leased by a not-for-profit corporation for the purpose of providing governmentally funded emergency housing shall not be considered a hotel for purposes of this chapter.

Housing Connect. "Housing Connect" means the New York City Housing Connect lottery system or any successor program administered by the Agency to market vacant Affordable Housing Units.

Housing Maintenance Code. "Housing Maintenance Code" means the Housing Maintenance Code of the City of New York, constituting §§ 27-2001 et seq. of the Administrative Code of the City of New York, as amended.

Increase in Gross Cubic Content. "Increase in Gross Cubic Content" means any portion of an Eligible Multiple Dwelling that results from new construction as distinguished from construction within the Gross Cubic Content in existence in a Non-Residential Building as of the Commencement Date.

Ineligible Space. "Ineligible Space" means commercial, community facility, and accessory use space, other than parking which is located not more than twenty-three feet above the curb level. For the purposes of this chapter, Dwelling Units in a facility that is licensed by the New York State Department of Health as an Adult Care Facility and Assisted Living Residence and operated as an Enriched Housing Program, including any units within the Adult Care Facility that are also certified as Special Needs Assisted Living Residence (SNALR) units and/or Enhanced Assisted Living Residence (EALR) units, shall not be considered Ineligible Space.

Legal Rent. "Legal Rent" means the maximum rent permitted under Rent Stabilization; provided, however, that (a) no exemption or exclusion from any requirement of Rent Stabilization shall be applied to any Affordable Housing Unit during the Restriction Period, including, but not limited to, any exemption or exclusion from the rent limits, renewal lease requirements, registration requirements, or other provisions of Rent Stabilization due to the vacancy of an Affordable Housing Unit where the rent exceeds a prescribed maximum amount, the fact that tenant income and/or unit rent exceed prescribed maximum amounts, the nature of the tenant, or any other factor; and (b) the initial rent charged and paid for an Affordable Housing Unit shall be the initial Legal Rent.

Marketing Monitor. "Marketing Monitor" means an organization approved by the Agency in compliance with the Agency's marketing guidelines and retained by the applicant for AHCC Program Benefits to monitor compliance with the requirements, established by the Act and this chapter, relating to the leasing, subleasing, and occupancy of Affordable Housing Units, including, but not limited to, ensuring that each Affordable Housing Unit is leased at a rent not exceeding the Permitted Rent and is occupied by a household approved by the Agency whose income at the time of initial occupancy of such Affordable Housing Unit is not more than the maximum percentage of the Area Median Income specified for such Affordable Housing Unit pursuant to the Act. Such Marketing Monitor may be an in-house department of the applicant, a subsidiary or affiliate of the applicant, or a third-party marketing, leasing, managing, or monitoring administering agent.

Monitoring Contract. "Monitoring Contract" means a contract between the applicant and the Marketing Monitor that is approved in form and substance by the Agency and that:

(i) requires the fee owner to provide monthly rent rolls for all Affordable Housing Units to the Marketing Monitor and to notify the Marketing Monitor no more than seven business days after an Affordable Housing Unit becomes vacant;

(ii) requires the Marketing Monitor to ensure that any Affordable Housing Unit which becomes vacant during the Restriction Period (a) is not held off the market for a period that is longer than is reasonably necessary to perform needed repairs; (b) is promptly marketed pursuant to such requirements as are established by the Agency; (c) is rented to a household that meets the applicable income and occupancy requirements for such Affordable Housing Unit and that has been approved by the Agency prior to execution of a lease; (d) is not offered to or rented by a corporation, partnership or other entity; and (e) is offered for occupancy pursuant to a rent stabilized lease for a term of one or two years, at the option of the tenant; and

(iii) requires the Marketing Monitor to submit quarterly rent rolls for all Affordable Housing Units in the Eligible Multiple Dwelling to the Agency.

Multiple Dwelling Law. "Multiple Dwelling Law" means the Multiple Dwelling Law of the State of New York.

Notice of Intent. "Notice of Intent" means a notice of intent to begin marketing the Affordable Housing Units through Housing Connect.

Permanent Conversion. "Permanent Conversion" has the same meaning as set forth in an Eligible Multiple Dwelling's regulatory agreement with the tax credit monitoring agency.

Permitted Rent. "Permitted Rent" means a rent for any lease or lease renewal at any time during the Restriction Period that does not exceed the lesser of:

(i) the Legal Rent; or

(ii) the rent for any Market Unit of comparable bedroom size in the same Eligible Multiple Dwelling; or

(iii) for Affordable Housing Units in an Eligible Multiple Dwelling, thirty percent of the applicable percentage of Area Median Income, minus the amount of any applicable Utility Allowance, provided, however, that no deduction of the Utility Allowance from the Permitted Rent shall be authorized for any Affordable Housing Unit in an Eligible Multiple Dwelling unless the Utility Allowance shall be deducted from all of the Affordable Housing Units in such Eligible Multiple Dwelling, and provided further that solely for purposes of establishing the initial rent for each Affordable Housing Unit, if there is a regulatory agreement between the fee owner and a federal, state or local agency or instrumentality governing such Affordable Housing Unit that was executed prior to the date of filing of the Workbook, the Area Median Income in the rent schedule to such regulatory agreement and the Utility Allowance in effect on such regulatory agreement execution date shall be utilized.

Service Area. "Service Area" means any space within an Eligible Multiple Dwelling that is utilized by the owner or manager of such Eligible Multiple Dwelling and their respective employees for purposes of building administration and to which residential tenants do not normally have access.

Story. "Story" has the meaning set forth in section 12-10 of the Zoning Resolution.

Utility Allowance. "Utility Allowance" means an allowance established by the Agency for the payment of utilities where the tenant of an Affordable Housing Unit is required to pay all or a portion of the utility costs with respect to such unit in addition to any payments of rent.

Workbook. "Workbook" means the AHCC Program Benefits Workbook available on the Agency's website that is submitted by the applicant to the Agency and which must provide the requested information about all of the Affordable Housing Units and the Market Units, including, but not limited to, (i) the unit mix proposed to satisfy paragraph (b) of subdivision six of the Act or, in accordance with such paragraph, the claimed exemption from such unit mix requirements, and (ii) the unit distribution proposed to satisfy paragraph (a) of subdivision six of the Act and Section 64-04 of this chapter.

Zoning Resolution. "Zoning Resolution" means the Zoning Resolution of the City of New York, as amended.

§64-02 Application Procedure and Documentation.

(a)

(1) The Agency may authorize changes to any information provided in the Workbook:

(i) after the Agency has provided an initial approval thereof until the Notice of Intent has been accepted by the Agency; and

(ii) after the Notice of Intent has been accepted by the Agency only if such information conflicts with the requirements of a regulatory agreement with a federal, state or local governmental agency or instrumentality, provided, however, that with respect to both subparagraphs (i) and (ii) of this paragraph, the Agency shall not authorize any changes to the Utility Allowance and the Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area after the first Workbook is submitted.

(2) Notwithstanding paragraph (1) of this subdivision and the definition of "Permitted Rent" in section 64-01 of this chapter, where an Eligible Multiple Dwelling is receiving tax exempt bond proceeds or tax credits, the Agency may authorize the following changes to the information in the Workbook concerning the Affordable Housing Units in such Eligible Multiple Dwelling after the Agency has provided an initial approval thereof:

(i) with respect to the Actual Rents listed in such Workbook, the Agency may authorize changes to the Utility

Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area until the marketing advertisement for such Affordable Housing Units has been published through Housing Connect, provided that the tax credit monitoring agency for such Eligible Multiple Dwelling has approved such changes; and

(ii) with respect to the Legal Rents listed in such Workbook, the Agency may authorize changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area until Permanent Conversion, provided that such changes do not alter the Actual Rents for such Affordable Housing Units published in the marketing advertisement through Housing Connect.

(b) The Application must be submitted with the non-refundable filing fee established by the Act, provided that twenty-five percent of such filing fee shall be submitted with the initial Workbook submission, and provided further, however, that the Agency may waive such filing fee for any Application for an Eligible Conversion in which all of the Dwelling Units are Affordable Housing Units constructed with the substantial assistance of grants, loans or subsidies provided by a federal, state or local agency or instrumentality pursuant to a program for the development of affordable housing. Any superintendent unit required by the Housing Maintenance Code or Multiple Dwelling Law to be in the Eligible Multiple Dwelling containing such Affordable Housing Units shall not disqualify such Eligible Conversion from the filing fee waiver the Agency may provide pursuant to this subdivision.

(c) Each Application shall include:

(1) Evidence satisfactory to the Agency that a restrictive declaration in a form satisfactory to the Agency:

(i) has been executed by the fee owner and any ground lessee of the Eligible Multiple Dwelling;

(ii) has been recorded against the real property containing the Eligible Multiple Dwelling;

(iii) identifies each Affordable Housing Unit in the Eligible Multiple Dwelling, the number of bedrooms in such Affordable Housing Unit, the applicable prescribed percentage of Area Median Income for such Affordable Housing Unit, and provides that the rents to be charged to the tenants of each such Affordable Housing Unit shall be established pursuant to this chapter, and provides that the Affordable Housing Units in such Eligible Multiple Dwelling shall during the Restriction Period be rented to eligible tenants at or below the Permitted Rent and be subject to Rent Stabilization; and

(iv) provides that such Eligible Multiple Dwelling must comply with all of the requirements for AHCC Program Benefits during the Restriction Period.

(2) Evidence satisfactory to the Agency that:

(i) the Workbook was filed no earlier than twelve months before the Completion Date and no later than the later of two months after (A) the Completion Date; or (B) the effective date of this rule; and

(ii) the Notice of Intent to begin marketing the Affordable Housing Units was filed with the Agency.

(3) Proof that the Agency determined that:

(i) an Eligible Multiple Dwelling will meet the unit mix requirements for Affordable Housing Units established pursuant to paragraph (b) of subdivision six of the Act, or, in accordance with such paragraph, is exempt from such unit mix requirements; and

(ii) an Eligible Multiple Dwelling will meet the distribution requirements for rental Dwelling Units established pursuant to of paragraph (a) of subdivision six of the Act and section 64-04 of this chapter.

(4) An executed Monitoring Contract.

(5) An affidavit from a registered architect or professional engineer licensed to practice and in good standing with the New York State Department of Education that, among other things, calculates the Aggregate Floor Area of the Eligible Multiple Dwelling and the Aggregate Floor Area of Ineligible Space in the Eligible Multiple Dwelling.

(d) All Applications must be submitted on forms approved by HPD.

§64-03 Legal Instrument. The restrictive declaration required pursuant to paragraph one of subdivision c of section 64-02 of this chapter shall constitute the legal instrument, in accordance with

subparagraph (v) of paragraph (j) of subdivision six of the Act, by which the requirements associated with AHCC Program Benefits will be recorded and enforced.

§64-04 Commencement Date.

(a) The Commencement Date for an Eligible Conversion shall be the date of the initial issuance by the Department of Buildings to a Non-Residential Building of one of the following types of permits:

(1) Job Type: "ALT-CO - New Building with Existing Elements to Remain"; Work Type: "General Construction";

(2) Job Type: "Alteration CO"; Work Type: "General Construction"; or

(3) Job Type: "Alteration Type 1"; Work Type: "OT - General Construction".

(b) The permit that establishes the Commencement Date pursuant to subdivision (a) of this section may only establish such Commencement Date for one Eligible Conversion.

§64-05 New Construction Eligibility. AHCC Program Benefits are available for a portion of an Eligible Multiple Dwelling which represents an Increase in Gross Cubic Content of such Eligible Multiple Dwelling, provided that at least fifty percent of the floor area of the completed Eligible Multiple Dwelling consists of the pre-existing Non-Residential Building that was converted.

§64-06 Distribution Requirements.

(a) If a Story in an Eligible Multiple Dwelling contains one or more Affordable Housing Units, not less than thirty percent of the Dwelling Units on such Story shall be Market Units, provided, however, that the Agency may waive such requirement where either:

(1) the Affordable Housing Units comprise more than fifty percent of the units in such Eligible Multiple Dwelling; or

(2) there is only one Dwelling Unit on such Story.

(b) Each Building Segment in an Eligible Multiple Dwelling must contain one or more Affordable Housing Units and have the same or similar proportion of Affordable Housing Units to Market Units.

(c) All Common Areas in an Eligible Multiple Dwelling shall be open and accessible to the residents of all of the rental Dwelling Units in such Eligible Multiple Dwelling, including the residents of any Affordable Housing Units.

(d) The Agency may disapprove any Building configuration that would frustrate the intent and purpose of paragraph (a) of subdivision six of the Act and subdivisions (a) through (c) of this section by segregating Affordable Housing Units or limiting the ability of residents of Affordable Housing Units to access an Eligible Multiple Dwelling's Common Areas.

§64-07 Rent and Income During the Restriction Period.

(a) The rent for an Affordable Housing Unit shall not exceed the Permitted Rent;

(b) Pursuant to paragraph (j) of subdivision 6 of the Act, the Marketing Band for the initial rents of Affordable Housing Units shall be established by deducting three percentage points from the applicable Area Median Income, adjusted by unit size and the applicable Utility Allowance;

(c) Each Affordable Housing Unit shall be occupied by a household whose income at the time that such household initially occupies such Affordable Housing Unit is not more than the maximum percentage of the Area Median Income specified for such Affordable Housing Unit pursuant to the Act;

(d) An Affordable Housing Unit shall be leased, both upon initial rent-up and upon any subsequent vacancy, pursuant to such marketing guidelines as may be published by the Agency;

(e) No Affordable Housing Unit shall be held off the market for a period that is longer than is reasonably necessary;

(f) No Affordable Housing Unit shall be offered to a corporation, partnership or other entity;

(g) No lease for an Affordable Housing Unit can be executed until the Agency verifies the eligibility of the proposed tenants; and

(h) Each tenant of an Affordable Housing Unit shall be offered a rent stabilized lease for a term of either one or two years, at such tenant's option.

§64-08 Hotels.

No Eligible Multiple Dwelling that is operated as a Hotel shall be eligible for AHCC Program Benefits.

§64-09 Penalties for violations of affordability requirements.

(a) On or after the expiration date of the AHCC Program Benefits provided pursuant to the Act, the Agency may impose, after notice and an opportunity to be heard in accordance with the procedures established pursuant to chapter 39 of this title, a penalty for any violation by an Eligible Multiple Dwelling of the affordability requirements of subdivision six of the Act.

(b) The Agency shall compute the penalties under this section as a percentage of the capitalized value of all AHCC Program Benefits on the Eligible Multiple Dwelling, calculated as of the first year that benefits were granted, not to exceed one thousand percent.

(c) The Agency shall establish a schedule of penalties imposed in connection with violations of the affordability requirements of subdivision six of the Act, in accordance with the methodology provided for in subdivision b above.

Commissioner Adolfo Carrión, Jr.
[Date], 2024

**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: Rule Implementing Tax Incentive Program for Affordable Housing from Commercial Conversions

REFERENCE NUMBER: 2024 RG 089

RULEMAKING AGENCY: 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: September 20, 2024

**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: Rules for Affordable Housing from Commercial Conversions Tax Incentive Benefits (HPD)

REFERENCE NUMBER: HPD-99

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 a cure period is provided for in a separate chapter of HPD's rules, which this proposed rule cross-references.

/s/ Grace Francese September 20, 2024
Mayor's Office of Operations Date

Accessibility questions: John Leonard, 212-863-6603, leonardj@hpd.nyc.gov, by: Wednesday, October 30, 2024 5:00 PM



Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development (HPD) proposes to add a new Chapter 63 to Title 28 of the Rules of the City of New York to implement the Affordable Neighborhoods for New Yorkers Tax Incentive program adopted by the New York State Legislature in Chapter 56 of the Laws of 2024.

When and where is the Hearing? HPD will hold a public hearing on the proposed rules online. The public hearing will take place from 10:30 A.M. to 12:00 P.M. on Wednesday, November 6, 2024.

To participate in the public hearing, enter the Webex URL: <https://nychpd.webex.com/nychpd/j.php?MTID=m167231ef53f3c5914caa55927e79360b>.

If prompted to provide a password or number, please enter the following:

Meeting Number: 2335 322 9893
Password: puVCGzPJ828

You may also join the hearing via device audio or dial-in via phone.

To join by video system:
Dial 23353229893@webex.com
You can also dial 173.243.2.68 and enter your meeting number.

To dial-in via phone, please use the following dial in number and participant code:

Phone Number: 1-646-992-2010
Access Code: 2335 322 9893

If you have low bandwidth or inconsistent internet connection, use the dial-in option for the hearing. This will reduce the possibility of dropped audio and stutters.

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 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 John Leonard, TIP Executive Director, 100 Gold Street, Room 8D-09, New York, New York 10038.
- **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) 863-6603 or emailing leonardj@hpd.nyc.gov by November 5, 2024 at 5:00 P.M. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign-up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and will not be held in a "question and answer" format.

Is there a deadline to submit written comments? All written comments must be submitted on or before November 6, 2024.

What if I need assistance to participate in the Hearing? You must tell HPD if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 863-6603 or e-mail at leonardj@hpd.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by October 30, 2024.

This hearing has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing and audio-only access for persons with vision impairments.

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 a recording of oral comments concerning the proposed rules will be available to the public.

What authorizes HPD to make this rule? Sections 1043 and 1802 of the City Charter and Section 485-x of the New York State Real Property Tax Law authorize HPD to make these proposed rules. The proposed rules were included in HPD's regulatory agenda.

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(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Statutory Background

In 2024, the Legislature amended the New York State Real Property Tax Law (“RPTL”) by adding a new section 485-x to provide exemptions from real property taxes to housing developments that meet certain affordability thresholds. That legislation (the “Act”) created the Affordable Neighborhoods for New Yorkers Tax Incentive program (“ANNY Program Benefits” or the “Program”). ANNY Program Benefits are available to housing created from the construction of new buildings or certain conversions of existing buildings. ANNY Program Benefits are not available to properties that are used as hotels. To receive ANNY Program Benefits, a development must contain six or more dwelling units and construction must have started after June 15, 2022, and on or before June 15, 2034, and be completed on or before June 15, 2038. The Act conferred sole rulemaking authority to HPD with respect to the Program in all areas other than construction wages and prevailing wages, for which the Comptroller also was conferred rulemaking authority.

The amount of the tax exemption granted under the Program varies depending upon the size of the project as well as whether the project is for rental or homeownership units. Depending on these characteristics, developments are placed into categories. Each category has different eligibility requirements to receive ANNY Program Benefits. The categories are:

- **Small Rental Projects:** Small Rental Projects must have more than five and less than eleven residential rental dwelling units and be located outside Manhattan on a zoning lot that permits a residential floor area of no more than 12,500 square feet and maintain at least 50% of those units as permanently rent stabilized. Small Rental Projects that comply with all Program requirements will receive a 100% exemption from real property taxes for the “construction period”, as that term is defined in the Act, and for the first ten years after the construction period.
- **Modest Rental Projects:** Modest Rental Projects must have more than five and less than one hundred residential rental dwelling units. In addition, at least 20% of those units must be permanently rent stabilized “affordable housing units”, as that term is defined in the Act, with no more than three tenant income bands with a weighted average not to exceed 80% of the Area Median Income and no individual income band exceeding 100% of the Area Median Income. Modest Rental Projects that comply with all Program requirements will receive a 100% exemption from real property taxes for the construction period and for the first 25 years after the construction period. For the next ten years after that, a Modest Rental Project will receive a real property tax exemption equal to the “affordability percentage”, which the Act defines as the percentage of total units in the development that meet the affordability criteria.
- **Large Rental Projects:** Large Rental Projects must have at least 100 residential rental dwelling units. In addition, at least 25% of those units must be permanently rent stabilized affordable housing units with no more than three tenant income bands with a weighted average not to exceed 80% of the Area Median Income and no individual income band exceeding 100% of Area Median Income. Large Rental Projects that comply with all Program requirements will receive a 100% exemption from real property taxes for the construction period and for 35 years after the construction period.
- **Very Large Rental Projects:** Very Large Rental Projects must be located in Zone A (which includes Manhattan south of 96th Street, Williamsburg, Greenpoint, and Long Island City) or Zone B (which includes Downtown Brooklyn, DUMBO, Brooklyn Heights, Fort Greene, Clinton Hill, Carroll Gardens, Cobble Hill, Gowanus, Red Hook, Park Slope, Prospect Heights, and Astoria) and have at least 150 residential rental dwelling units. In addition, at least 25% of those units must be permanently rent stabilized affordable housing units with no more than three tenant income bands with a weighted average of 60% of the Area Median Income and no individual income band exceeding 100% of Area Median Income. Very Large Rental Projects in Zone B that comply with all Program requirements will receive a 100% exemption from real property taxes for the construction period and for 40 years after the construction period. Very Large Rental Projects in Zone A that comply with all Program requirements will receive a 100% exemption from real property taxes for the “extended construction period”, as that term is defined in the Act, and a 100% property tax exemption for the first 40 years after the extended construction period. All Very Large Rental Projects are exempt from paying real property taxes on the assessed value

of land and improvements in effect during the tax year prior to the date when construction started.

- **Homeownership Projects:** Homeownership Projects must be located outside of Manhattan. 100% of the dwelling units must have an average assessed value per square foot of no more than \$89 upon the first assessment following the completion of the project and each unit owner must agree in writing to maintain the unit as their primary residence for no less than five years from acquisition. Homeownership Projects that comply with all Program requirements are entitled to a 100% exemption from real property taxes for the construction period and for 14 years after the construction period. For the following six years after that, Homeownership Projects will receive a 25% exemption from real property taxes.

In addition to the important affordability requirements described above, the Act imposes numerous other requirements on Program participants. Notable requirements relevant to these Proposed Rules include:

- **Procurements from MWBEs:** All projects must, over the course of their design and construction, make reasonable efforts to spend at least 25% of applicable costs on contracts with minority and women owned business enterprises.
- **Requirements for Restricted Units:** The Act uses the term “restricted unit” to refer to rental dwelling units that are “affordable housing units,” as that term is defined in the Act, or units that are subject to rent stabilization in accordance with Affordability Option C, as defined in the Act. The Act provides that in the event a restricted unit is occupied by an approved tenant and HPD denies the ANNY Program Benefits application or such application is never filed or is withdrawn after filing, such restricted unit must remain rent stabilized until such tenant vacates. In addition, restricted units cannot be rented on a temporary, transient or short-term basis. Each initial lease and lease renewal must be for one or two years, at the option of the tenant. Restricted units cannot be converted to cooperative or condominium ownership.
- **Unit Mix:** All affordable housing units must have a mix of unit sizes (one-bedroom, two-bedroom, etc.) proportional to the mix for market units. Alternatively, at least 50% of the affordable housing units must have two or more bedrooms and no more than 25% can have less than one bedroom.
- **Common Spaces:** All affordable rental dwelling units must share the same common entrances and common areas as rental market units. Affordable housing units cannot be isolated to a particular floor or area.
- **Replacement Ratio:** If the land on which a project is located contained any dwelling units three years prior to the start of construction, the project must provide at least one affordable housing unit (or in the case of Small Rental Projects, one restricted unit) for each dwelling unit that existed three years prior to the start of construction and was thereafter demolished, removed or reconfigured.
- **Concurrent Benefits:** Concurrent exemptions or abatements are prohibited, but projects may voluntarily renounce or terminate ANNY Program Benefits if HPD so authorizes in order to commence a new tax exemption pursuant to either the Private Housing Finance Law or Real Property Tax Law Section 420-c.
- **Program Applications:** Prospective applicants must file a form with HPD stating their intention to apply for ANNY Program Benefits and will be subject to a penalty not to exceed 100% of the application filing fee for failure to do so. Applications must be filed not later than one year after the completion date with a filing fee of (a) \$3,000 per dwelling unit for projects with more than five and less than eleven residential rental dwelling units, (b) \$4,000 per dwelling unit for projects with more than eleven and less than one hundred residential rental dwelling units, (c) \$4,000 per dwelling unit for any Homeownership Project; and (d) \$5,000 per dwelling unit for any project with at least one hundred residential rental dwelling units. The Act authorizes HPD to promulgate rules imposing a lesser fee for governmentally assisted housing and to require a portion of the filing fee to be paid upon the submission of information HPD requires to commence the marketing process for Modest Rental Projects, Large Rental Projects and Very Large Rental Projects.
- **Penalties for Violations:** Finally, HPD has the authority to impose penalties for, among other things, violations of the affordability and rent stabilization requirements on and after the expiration date of the relevant benefit period and to establish the schedule and method of calculation of such fines by rule.

The Proposed Rules

The Proposed Rules address five topics: (i) the form and process of applications for ANNY Program Benefits; (ii) rent and tenant income levels; (iii) the composition of a Program project in terms of the size and location of affordable units and design of common spaces; (iv) provisions pertaining to hotels, motels, and tourist cabins; and (v) penalties. In particular, the Proposed Rules provide as follows:

ANNY Program Benefit Applications

Under the Proposed Rules, applications for ANNY Program Benefits cannot be filed prior to a project's completion date. The Act defines the "completion date" as the date that the Department of Buildings issues the first temporary or permanent certificate of occupancy covering all residential areas of an eligible multiple dwelling, as that term is defined in the Act. There are two exceptions to this rule. First, if an application for a rental project includes two or more eligible multiple dwellings on the same zoning lot, the application deadline is set at one year after the last completion date for such eligible multiple dwellings. However, an applicant could file the application after the completion date of the first such eligible multiple dwelling and subsequently amend the application following the completion date of any other eligible multiple dwelling on the lot. In a project with more than one eligible multiple dwelling, ANNY Program Benefits cannot be granted to such additional buildings and will be revoked for any that already received the benefits unless all such eligible multiple dwellings in such application remain in full compliance with all of the Program eligibility requirements. Second, Homeownership Projects cannot submit an application until after the first assessment following the completion date and board authorization and consent forms and deeds have been filed for each unit in the Homeownership Project.

The Proposed Rules further provide that applicants must file an applicant registration form before they can file an application for ANNY Program Benefits. Failure to comply will result in a penalty fee. All Program applications must include the non-refundable filing fee, provided, however, that a Modest Rental Project, Large Rental Project and Very Large Rental Project must submit 25% of the applicable non-refundable filing fee with its initial workbook submission to HPD. (The workbook is a form that contains all of the information HPD needs to review and approve before it can begin the marketing process for the affordable housing units.)

Finally, the Proposed Rules set forth the documentation applicants must submit to receive ANNY Program Benefits. An application must include:

- 1) Evidence satisfactory to HPD that the applicant has recorded a restrictive declaration for any rental project that identifies each restricted unit in each eligible multiple dwelling, identifies each affordable housing unit in each eligible multiple dwelling, including its Area Median Income limit and number of bedrooms, and requires that the rents of each such affordable housing unit shall be set in accordance with these Proposed Rules. This restrictive declaration must also provide that all such affordable housing units must be rented to eligible tenants at or below the rent ceiling established by these Proposed Rules and that all such restricted units be rent stabilized. The restrictive declaration for a Homeownership Project must provide the requirements for building size, post-completion square footage assessment cap and primary residency.
- 2) For Modest Rental Projects, Large Rental Projects and Very Large Rental Projects only, an executed monitoring contract with an approved marketing monitor, satisfactory evidence that the workbook was filed within the time periods specified in these Proposed Rules, and proof of the filing of the notice of intent to begin marketing the affordable housing units.
- 3) An affidavit from a licensed architect or professional engineer that, among other things, calculates the floor area for purposes of determining the limitations on benefits for non-residential space.
- 4) For Homeownership Projects, the deed and the board authorization and consent form for every unit in such Project.
- 5) Proof that the project has met the participation goal for minority and women owned business enterprises or made reasonable efforts to do so.

Rent and Tenant Income Levels

The Proposed Rules establish the rent and income restrictions that apply to the affordable housing units during the restriction period (which is defined by the Act as a period commencing on the completion date and extending in perpetuity for rental projects). The Proposed Rules also require that tenants of restricted units be offered either a one- or two-year rent stabilized lease, at their option.

Composition of Program Projects

The Proposed Rules establish that on any story containing one or more affordable housing units, at least 30% of the dwelling units on that story must be market units. The Proposed Rules authorize HPD to waive this requirement if the affordable housing units comprise more than 50% of the dwelling units in the eligible multiple dwelling or where there is only one dwelling unit per story. In addition, every building segment within a Modest Rental Project, Large Rental Project, or Very Large Rental Project must contain one or more affordable housing units and the same or similar proportion of affordable housing units to market units in each building segment. In other words, these requirements prohibit confining affordable housing units to one area of an eligible multiple dwelling. Further, all rental dwelling units, including affordable housing units, must share common areas. The Proposed Rules would authorize HPD to disapprove any building configuration that frustrates the intent and purposes of the Act and HPD's rules by segregating affordable housing units or limiting the ability of residents of affordable housing units to access common areas. Finally, the Proposed Rules provide that for purposes of these distribution and non-isolation requirements, a building comprised of two or more residential condominium units constitutes one eligible multiple dwelling, as that term is defined in the Act.

Hotel Prohibition

The Proposed Rules prohibit projects participating in the Program from being operated as a hotel and restricted units from being rented to corporations, partnerships or other entities.

Penalties

The Proposed Rules provide that penalties for violations of the rent stabilization and affordability requirements will be calculated as a percentage of the capitalized value of all ANNY Program Benefits at that site as of the first year that benefits were conferred and not to exceed 1,000%. The Proposed Rules provide that a penalty schedule will be published on HPD's website.

HPD's authority for these rules is found in sections 1043 and 1802 of the New York City Charter, and section 485-x of the Real Property Tax Law.

New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section one. Title 28 of the Rules of the City of New York is amended by adding a new chapter 63 to read as follows:

Chapter 63

Affordable Neighborhoods for New Yorkers Tax Incentive Benefits Pursuant to Real Property Tax Law Section 485-x

§63-01 Definitions.

As used in this chapter, the following terms shall have the following meanings. Capitalized terms not defined in this chapter shall have the meanings set forth in the Act.

Act. "Act" means section four hundred-eighty-five-x of the real property tax law, as amended.

Actual Rents. "Actual Rents" means the proposed initial monthly actual rents listed in the Workbook for the Affordable Housing Units.

Aggregate Floor Area of Eligible Multiple Dwellings in the Eligible Site. "Aggregate Floor Area of Eligible Multiple Dwellings in the Eligible Site" means the sum of the Floor Area of each Eligible Multiple Dwelling in the Eligible Site.

Aggregate Floor Area of Ineligible Space in Eligible Multiple Dwellings in the Eligible Site. "Aggregate Floor Area of Ineligible Space in Eligible Multiple Dwellings in the Eligible Site" means the sum of the Floor Area of each Ineligible Space in each Eligible Multiple Dwelling in the Eligible Site.

Applicable Costs. "Applicable Costs" means all of the costs associated with the Design and Construction of an Eligible Site for which the applicant for ANNY Program Benefits or any person acting on behalf of or as an agent of such applicant had the ability to hire or influence the hiring of a firm to conduct such work.

Applicant Registration Form. "Applicant Registration Form" means the form prospective applicants for ANNY Program Benefits must file in accordance with the requirements of subdivision sixteen of the Act.

Area Median Income. "Area Median Income" means the area median income for the primary metropolitan statistical area as

determined by the United States Department of Housing and Urban Development or its successors from time to time for a family of four, as adjusted for family size.

Board Authorization and Consent Form. "Board Authorization and Consent Form" means a form executed by the owner of a unit in a Homeownership Project that (i) authorizes an officer of the board for said Homeownership Project to file an Application on behalf of such Homeownership Project; (ii) authorizes such board officer to execute and record the restrictive declaration required pursuant to section 63-02(g)(1) of this chapter on behalf of such unit owner; and (iii) contains the unit owner's acknowledgement of the Primary Residence Requirement, the Building Size Requirement, and the Post-Completion Square Foot Assessment Cap Requirement.

Building. "Building" shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Building Segment. "Building Segment" shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Building Size Requirement. "Building Size Requirement" means the requirement that a multiple dwelling have a minimum of six units.

Commercial Space. "Commercial Space" means any space within an Eligible Multiple Dwelling that is devoted to commercial, community facility, or other non-residential use.

Common Area. "Common Area" means any space within an Eligible Multiple Dwelling to which the residents of two or more rental dwelling units have access without paying a usage fee and that is not located in a rental dwelling unit, in a Commercial Space or in a Service Area.

Construction. "Construction" means any or all work or operations necessary for the erection, assembly, installation, or equipping of an Eligible Site, or any alterations and operations incidental thereto, including any management and supervisory services related thereto.

Contract Rents. "Contract Rents" means the rent approved by the United States Department of Housing and Urban Development for Affordable Housing Units in an Eligible Multiple Dwelling with a HAP Contract.

Deed. "Deed" means an executed and recorded deed that contains the Primary Residence Requirement for a dwelling unit in a Homeownership Project.

Department of Finance. "Department of Finance" means the Department of Finance of the City of New York or any successor agency or department thereto.

Design. "Design" means architecture and engineering services provided for the Construction of an Eligible Site, including, but not limited to, any planning, surveys and reports, testing and investigation, and printing and blueprinting.

DSBS. "DSBS" means the New York City Department of Small Business Services.

Dwelling Unit. "Dwelling Unit" means one or more living rooms, arranged to be occupied as a unit separate from all other rooms within a dwelling, with lawful sanitary facilities and a lawful kitchen or kitchenette for the exclusive use of the family residing in such unit, except that for the purposes of this chapter, such term shall include units in all facilities that are licensed by the New York State Department of Health as an Adult Care Facility and Assisted Living Residence and operated as an Enriched Housing Program, including any units within the Adult Care Facility that are also certified as Special Needs Assisted Living Residence (SNALR) units and/or Enhanced Assisted Living Residence (EALR) units.

HAP Contract. "HAP Contract" means any project-based Section 8 housing assistance payments contract, governed by subpart E of part 983 of chapter IX of subtitle B of title 24 of the Code of Federal Regulations, as may be amended or renewed, covering Affordable Housing Units in an Eligible Multiple Dwelling.

Hotel. "Hotel" means (i) any Class B multiple dwelling, as such term is defined in the Multiple Dwelling Law; (ii) any structure or part thereof containing living or sleeping accommodations which is used or intended to be used for transient occupancy; (iii) any apartment hotel or transient hotel as defined in the Zoning Resolution; or (iv) any structure or part thereof which is used to provide short term rentals or owned or leased by an entity engaged in the business of providing short term rentals. For purposes of this definition, a lease, sublease, license or any other form of rental agreement for a period of less than one year shall be deemed to be a short term rental. Notwithstanding the foregoing, Market Units owned or leased by a not-for-profit corporation for the purpose of providing governmentally funded emergency housing shall not be considered a hotel for purposes of this chapter.

Housing Connect. "Housing Connect" means the New York City Housing Connect lottery system or any successor program administered by the Agency to market vacant Affordable Housing Units.

Housing Maintenance Code. "Housing Maintenance Code" means the Housing Maintenance Code of the City of New York, constituting §§ 27-2001 et seq. of the Administrative Code of the City of New York, as amended.

Ineligible Space. "Ineligible Space" means commercial, community facility, and accessory use space, other than parking which is located not more than twenty-three feet above the curb level. For the purposes of this chapter, Dwelling Units in a facility that is licensed by the New York State Department of Health as an Adult Care Facility and Assisted Living Residence and operated as an Enriched Housing Program, including any units within the Adult Care Facility that are also certified as Special Needs Assisted Living Residence (SNALR) units and/or Enhanced Assisted Living Residence (EALR) units, shall not be considered Ineligible Space.

Legal Rent. "Legal Rent" means the maximum rent permitted under Rent Stabilization, provided, however, that (a) no exemption or exclusion from any requirement of Rent Stabilization shall be applied to any Affordable Housing Unit during the Restriction Period, including, but not limited to, any exemption or exclusion from the rent limits, renewal lease requirements, registration requirements, or other provisions of Rent Stabilization due to the vacancy of an Affordable Housing Unit where the rent exceeds a prescribed maximum amount, the fact that tenant income and/or unit rent exceed prescribed maximum amounts, the nature of the tenant, or any other factor; and (b) the initial rent charged and paid for a Restricted Unit shall be the initial Legal Rent.

Marketing Monitor. "Marketing Monitor" means an organization approved by the Agency in compliance with the Agency's marketing guidelines and retained by the applicant for ANNY Program Benefits to monitor compliance with the requirements established by the Act and this chapter relating to the leasing, subleasing, and occupancy of Affordable Housing Units, including, but not limited to, ensuring that each Affordable Housing Unit is leased at a rent not exceeding the Permitted Rent and is occupied by a household approved by the Agency whose income at the time of initial occupancy of such Affordable Housing Unit is not more than the maximum percentage of the Area Median Income specified for such Affordable Housing Unit pursuant to the Act. Such Marketing Monitor may be an in-house department of the applicant, a subsidiary or affiliate of the applicant, or a third-party marketing, leasing, managing, or monitoring administering agent.

Minority and Women Owned Business Enterprises. "Minority and Women Owned Business Enterprises" means a minority-owned business enterprise and/or a women-owned business enterprise certified by a governmental or quasi-governmental entity acceptable to the Agency. Applicants must provide proof upon the Agency's request that a Minority and Women Owned Business Enterprise has been so certified.

Monitoring Contract. "Monitoring Contract" means a contract between the applicant and the Marketing Monitor that is approved in form and substance by the Agency and that:

- (i) requires the fee owner to provide monthly rent rolls for all Affordable Housing Units to the Marketing Monitor and to notify the Marketing Monitor no more than seven business days after an Affordable Housing Unit becomes vacant;
- (ii) requires the Marketing Monitor to ensure that any Affordable Housing Unit which becomes vacant during the Restriction Period (a) is not held off the market for a period that is longer than is reasonably necessary to perform needed repairs; (b) is promptly marketed pursuant to such requirements as are established by the Agency; (c) is rented to a household that meets the applicable income and occupancy requirements for such Affordable Housing Unit and that has been approved by the Agency prior to execution of a lease; (d) is not offered to or rented by a corporation, partnership or other entity; and (e) is offered for occupancy pursuant to a rent stabilized lease for a term of one or two years, at the option of the tenant; and
- (iii) requires the Marketing Monitor to submit quarterly rent rolls for all Affordable Housing Units in the Eligible Multiple Dwelling to the Agency.

Motel or Tourist Cabin. "Motel or Tourist Cabin" shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Multiple Dwelling Law. "Multiple Dwelling Law" means the Multiple Dwelling Law of the State of New York.

Notice of Intent. “Notice of Intent” means a notice of intent to begin marketing the Affordable Housing Units through Housing Connect.

Participation Goal. “Participation Goal” means twenty-five percent of the Applicable Costs.

Permanent Conversion. “Permanent Conversion” has the same meaning as set forth in an Eligible Multiple Dwelling’s regulatory agreement with the tax credit monitoring agency.

Permitted Rent. “Permitted Rent” means a rent for any lease or lease renewal at any time during the Restriction Period that does not exceed the lesser of:

- (i) the Legal Rent; or
- (ii) the rent for any Market Unit of comparable bedroom size in the same Eligible Site; or
- (iii) thirty percent of the applicable percentage of Area Median Income, minus the amount of any applicable Utility Allowance, provided, however, that no deduction of the Utility Allowance from the Permitted Rent shall be authorized for any Affordable Housing Unit in an Eligible Site unless the Utility Allowance shall be deducted from all of the Affordable Housing Units in such Eligible Site, and provided further that solely for purposes of establishing the initial rent for each Affordable Housing Unit, if there is a regulatory agreement between the fee owner and a federal, state or local agency or instrumentality governing such Affordable Housing Unit that was executed prior to the date of filing of the Workbook, the Area Median Income in the rent schedule to such regulatory agreement and the Utility Allowance in effect on such regulatory agreement execution date shall be utilized; or
- (iv) for Affordable Housing Units in an Eligible Multiple Dwelling that is subject to a HAP Contract and only during the term of such HAP Contract, 120% of the Contract Rents for such Affordable Housing Units, provided, however, that such rents, less any Section 8 rent subsidies, do not exceed the lesser of:

- (1) thirty percent of the applicable percentage of Area Median Income minus the applicable Utility Allowance; or
- (2) the tenant’s maximum payment under the HAP Contract.

Post-Completion Square Foot Assessment Cap Requirement. “Post-Completion Square Foot Assessment Cap Requirement” means the requirement that all of the units in a Homeownership Project must have an average assessed value per square foot that does not exceed \$89 upon the first assessment following the Completion Date.

Primary Residence Requirement. “Primary Residence Requirement” means the requirement that the owner of a dwelling unit in a Homeownership Project must for no less than five years from acquisition of such unit occupy it in accordance with the criteria set forth for rental dwelling units in subdivision (u) of section 2520.6 of the Rent Stabilization Code. Notwithstanding the foregoing, the minimum five year period of occupancy necessary to establish whether such unit is an owner’s primary residence shall not be deemed to be interrupted by any period during which such owner temporarily relocates because he or she: (i) is engaged in military duty; (ii) is enrolled as a full-time student; (iii) is not in residence at the apartment pursuant to a court order not involving any terms or provisions of the lease/occupancy agreement, and not involving any grounds specified in the Real Property Actions and Proceedings Law; (iv) is engaged in employment requiring temporary relocation from such unit; (v) is hospitalized temporarily for medical treatment; or (vi) has other reasonable grounds that shall be determined by the Agency.

Reasonable Efforts. “Reasonable Efforts” means that the applicant for ANNY Program Benefits for an Eligible Site or any person acting on behalf of or as an agent of such applicant, in connection with the performance of any work associated with the Design and Construction of such Eligible Site, has demonstrated that it made timely requests for assistance to DSBS, provided the Agency with a description of how recommendations made by DSBS were acted upon, and, if relevant, provided the Agency with an explanation of why the applicant did not meet the Participation Goal. In addition, the Agency shall consider the following efforts with respect to Minority and Women Owned Business Enterprises along with any other relevant factors: (i) advertisement of opportunities in general circulation media, small business media, or publications for Minority and Women Owned Business Enterprises; (ii) timely notification of specific opportunities to participate in the Design and Construction of the Eligible Site; (iii) thorough and timely responses to any inquiries; (iv) identification of portions of the Design and Construction of such Eligible Site that could be substituted for portions originally designated for participation by Minority and Women Owned Business Enterprises, and for which the applicant claims an inability to retain Minority and Women Owned

Business Enterprises; and (iv) holding meetings prior to the date of bids or proposals to explain the scope of the Design and Construction of the Eligible Site.

Residential Condominium Unit. “Residential Condominium Unit” means two or more rental dwelling units collectively held in a condominium form of ownership.

Section 8. “Section 8” means a federal rent subsidy pursuant to the Section 8 project-based rental assistance program, or any successor programs under the United States Housing Act of 1937, as amended.

Service Area. “Service Area” means any space within an Eligible Multiple Dwelling that is utilized by the owner or manager of such Eligible Multiple Dwelling and their respective employees for purposes of building administration and to which residential tenants do not normally have access.

Story. “Story” shall have the meaning set forth in section 12-10 of the Zoning Resolution.

Utility Allowance. “Utility Allowance” means an allowance established by the Agency for the payment of utilities where the tenant of an Affordable Housing Unit is required to pay all or a portion of the utility costs with respect to such unit in addition to any payments of rent.

Workbook. “Workbook” means the Affordable Neighborhoods for New Yorkers Tax Incentive Benefits Workbook available on the Agency’s website that is submitted by the applicant to the Agency for Modest Rental Projects, Large Rental Projects and Very Large Rental Projects and which must provide the requested information about all of the Affordable Housing Units and the Market Units, including, but not limited to (i) the affordability option elected pursuant to the Act; (ii) the unit mix proposed to satisfy paragraph (b) of subdivision eight of the Act or, in accordance with such paragraph, the claimed exemption from such unit mix requirements; and (iii) the unit distribution proposed to satisfy paragraph (a) of subdivision eight of the Act and Section 62-03 of this chapter.

Zoning Resolution. “Zoning Resolution” means the Zoning Resolution of the City of New York, as amended.

§63-02 Application Procedure and Documentation.

(a) No Application shall be filed with respect to any Rental Project or Homeownership Project that failed to file the Applicant Registration Form and did not pay the penalty imposed by the Agency in accordance with subdivision 16 of the Act.

(b) No Application shall be filed with respect to any Rental Project before the Completion Date of such Rental Project.

(c) Notwithstanding the provisions of subdivision b of this section, where a Rental Project is composed of two or more Eligible Multiple Dwellings on the same zoning lot that are part of a single Application, such Application shall be filed no later than one year after the last Completion Date of such Eligible Multiple Dwellings, provided, however, that:

(1) an Application may be filed for the first Eligible Multiple Dwelling in such Rental Project that meets all of the eligibility requirements for ANNY Program Benefits after the Completion Date of such Eligible Multiple Dwelling and such Application may be amended after the Completion Date of each additional Eligible Multiple Dwelling in such Rental Project;

(2) the Notice of Intent filed with the Application shall include the Affordable Housing Units in such first Eligible Multiple Dwelling as well as any Affordable Housing Units in each additional Eligible Multiple Dwelling in such Rental Project with a Completion Date that will be less than three years after the Completion Date of the first Eligible Multiple Dwelling, and any Eligible Multiple Dwellings in such Rental Project with a Completion Date that will be three years or more after the Completion Date of such first Eligible Multiple Dwelling shall be required to file separate Notices of Intent and provide proof thereof at the time such Application is amended; and

(3) no ANNY Program Benefits shall be granted to any Eligible Multiple Dwelling that is part of such Application unless all of the Eligible Multiple Dwellings in such Application that were previously granted such benefits remain in full compliance with all of the eligibility requirements for such benefits.

(d) No Application shall be filed with respect to any Homeownership Project before (1) the first assessment following the Completion Date; and (2) there are Board Authorization and Consent Forms and Deeds for each unit in such Homeownership Project.

(e)

(1) The Agency may authorize changes to any information provided in the Workbook;

(i) after the Agency has provided an initial approval thereof until the Notice of Intent has been accepted by the Agency; and

(ii) after the Notice of Intent has been accepted by the Agency only if such information conflicts with the requirements of a regulatory agreement with a federal, state or local governmental agency or instrumentality, provided, however, that with respect to both subparagraphs (i) and (ii) of this paragraph, the Agency shall not authorize any changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area after the first Workbook is submitted.

(2) Notwithstanding paragraph (1) of this subdivision, where, in accordance with paragraph (1) of subdivision (c) of this section, an Application has been filed for a Rental Project composed of two or more Eligible Multiple Dwellings on the same zoning lot after the Completion Date of the first such Eligible Multiple Dwelling that meets all of the eligibility requirements of the ANNY Program and before the Completion Date of all additional Eligible Multiple Dwellings in such Rental Project, the Agency may authorize changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area after the Workbook is submitted solely with respect to any Eligible Multiple Dwelling in such Rental Project whose Completion Date is three or more years after the Completion Date of the first Eligible Multiple Dwelling for which the Application was filed for such Rental Project in accordance with paragraph (1) of subdivision (c) of this section, and provided further, in accordance with paragraph (2) of subdivision (c) of this section, that such changes shall only be authorized until a Notice of Intent has been filed for any such Eligible Multiple Dwelling in such Rental Project whose Completion Date is three or more years after the Completion Date of the Eligible Multiple Dwelling for which such Application was first filed.

(3) Notwithstanding paragraph (1) of this subdivision and the definition of "Permitted Rent" in section 63-01 of this chapter, where an Eligible Multiple Dwelling is receiving tax exempt bond proceeds or tax credits, the Agency may authorize the following changes to the information in the Workbook concerning the Affordable Housing Units in such Eligible Multiple Dwelling after the Agency has provided an initial approval thereof:

(i) with respect to the Actual Rents listed in such Workbook, the Agency may authorize changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area until the marketing advertisement for such Affordable Housing Units has been published through Housing Connect, provided that the tax credit monitoring agency for such Eligible Multiple Dwelling has approved such changes; and

(ii) with respect to the Legal Rents listed in such Workbook, the Agency may authorize changes to the Utility Allowance and Multifamily Tax Subsidy Project Income Limits for the New York, New York HUD FMR Area until Permanent Conversion, provided that such changes do not alter the Actual Rents for such Affordable Housing Units published in the marketing advertisement through Housing Connect.

(f)

(1) The Application must be submitted with the non-refundable filing fee established by the Act, provided, however that the Agency may waive such filing fee for any Application for a Rental Project in which all of the dwelling units are Affordable Housing Units constructed with the substantial assistance of grants, loans or subsidies provided by a federal, state or local agency or instrumentality pursuant to a program for the development of affordable housing. Any superintendent unit required by the Housing Maintenance Code or Multiple Dwelling Law to be in the Eligible Multiple Dwelling containing such Affordable Housing Units shall not disqualify such Rental Project from the filing fee waiver the Agency may provide pursuant to this subdivision.

(2) Notwithstanding anything to the contrary contained in paragraph (1) of this subdivision, a Modest Rental Project, Large Rental Project or Very Large Rental Project shall submit twenty-five percent of the applicable non-refundable filing fee with its initial Workbook submission.

(g) Each Application shall include:

(1) Evidence satisfactory to the Agency that a restrictive declaration in a form satisfactory to the Agency:

(i) has been executed by the fee owner and any ground lessee of the Eligible Multiple Dwelling;

(ii) has been recorded against the real property containing the Eligible Multiple Dwelling;

(iii) with respect to a Rental Project, (A) identifies each Restricted Unit in each Eligible Multiple Dwelling; (B) identifies each Affordable Housing Unit in each Eligible Multiple Dwelling, including with respect to each such Affordable Housing Unit the number of bedrooms and the applicable prescribed percentage of Area Median Income; (C) provides that the rents to be charged to the tenants of each such Affordable Housing Unit shall be established pursuant to this chapter; (D) provides that the Affordable Housing Units in each such Eligible Multiple Dwelling shall during the Restriction Period be rented to eligible tenants at or below the Permitted Rent; and (E) provides that each Restricted Unit in each such Eligible Multiple Dwelling shall be subject to Rent Stabilization for the Restriction Period;

(iv) with respect to a Homeownership Project, provides the Building Size Requirement, the Post-Completion Square Foot Assessment Cap Requirement and the Primary Residence Requirement; and

(v) provides that each Eligible Multiple Dwelling must comply with all of the requirements for ANNY Program Benefits during the Restriction Period.

(2) Evidence satisfactory to the Agency that the Workbook was filed:

(i) for Modest Rental Projects containing no more than ten residential dwelling units, no earlier than six months before the Completion Date and no later than two months after the later of (A) the Completion Date; or (B) the effective date of this rule;

(ii) for Modest Rental Projects containing more than ten residential dwelling units and less than one hundred residential dwelling units, no earlier than nine months before the Completion Date and no later than two months after the later of (A) the Completion Date; or (B) the effective date of this rule; or

(iii) for Large Rental Projects and Very Large Rental Projects, no earlier than twelve months before the Completion Date and no later than two months after the later of (A) the Completion Date; or (B) the effective date of this rule; and

(3) Evidence satisfactory to the Agency that the Notice of Intent to begin marketing the Affordable Housing Units was filed with the Agency or, with respect to any Application filed in accordance with subdivision (c) of this section, one or more Notices of Intent were filed in accordance with paragraph (2) of subdivision (c) with such Application and any amendment thereto.

(4) Proof that the Agency determined that:

(i) an Eligible Site will meet the unit mix requirements for Affordable Housing Units established pursuant to paragraph (b) of subdivision eight of the Act, or, in accordance with such paragraph, is exempt from such unit mix requirements; and

(ii) an Eligible Multiple Dwelling will meet the distribution requirements for rental dwelling units established pursuant to paragraph (a) of subdivision eight of the Act and section 62-03 of this chapter.

(5) An executed Monitoring Contract for a Modest Rental Project, Large Rental Project and Very Large Rental Project.

(6) An affidavit from a registered architect or professional engineer licensed to practice and in good standing with the New York State Department of Education that, among other things, calculates the Aggregate Floor Area of each Eligible Multiple Dwelling in the Eligible Site and the Aggregate Floor Area of all Ineligible Space in each Eligible Multiple Dwelling in the Eligible Site.

(7) With respect to a Homeownership Project, the Deed and the Board Authorization and Consent Form for every unit in such Homeownership Project.

(8) An affidavit that such Rental Project or Homeownership Project either:

(i) met the Participation Goal; or

(ii) made Reasonable Efforts to meet the Participation Goal.

§63-03 Distribution Requirements.

(a) If a Story in an Eligible Multiple Dwelling contains one or more Affordable Housing Units, not less than thirty percent of the dwelling units on such Story shall be Market Units, provided, however, that the Agency may waive such requirement where either:

(1) the Affordable Housing Units comprise more than fifty percent of the units in such Eligible Multiple Dwelling; or

(2) there is only one dwelling unit on such Story.

(b) Each Building Segment in an Eligible Multiple Dwelling in a Modest Rental Project, Large Rental Project or Very Large Rental Project must contain one or more Affordable Housing Units and have the same or similar proportion of Affordable Housing Units to Market Units.

(c) All Common Areas in an Eligible Multiple Dwelling in a Rental Project shall be open and accessible to the residents of all of the rental dwelling units in such Eligible Multiple Dwelling, including the residents of any Affordable Housing Units.

(d) Notwithstanding any inconsistent provision of this chapter, for the purpose of paragraph (a) of subdivision eight of the Act and subdivisions (a) through (c) of this section, a Building comprised of two or more Residential Condominium Units constitutes one Eligible Multiple Dwelling.

(e) The Agency may disapprove any Building configuration that would frustrate the intent and purpose of paragraph (a) of subdivision eight of the Act and subdivisions (a) through (c) of this section by segregating Affordable Housing Units or limiting the ability of residents of Affordable Housing Units to access an Eligible Multiple Dwelling's Common Areas.

§63-04 Rent and Income During the Restriction Period.

(a) The rent for an Affordable Housing Unit shall not exceed the Permitted Rent;

(b) Pursuant to paragraph (j) of subdivision 8 of the Act, the Marketing Band for the initial rents of Affordable Housing Units shall be established by deducting three percentage points from the applicable Area Median Income, adjusted by unit size and the applicable Utility Allowance;

(c) Each Affordable Housing Unit shall be occupied by a household whose income at the time that such household initially occupies such Affordable Housing Unit is not more than the maximum percentage of the Area Median Income specified for such Affordable Housing Unit pursuant to the Act;

(d) An Affordable Housing Unit shall be leased, both upon initial rent-up and upon any subsequent vacancy, pursuant to such marketing guidelines as may be published by the Agency;

(e) No Affordable Housing Unit shall be held off the market for a period that is longer than reasonably necessary;

(f) No Affordable Housing Unit shall be offered to a corporation, partnership or other entity;

(g) No lease for an Affordable Housing Unit can be executed until the Agency verifies the eligibility of the proposed tenants; and

(h) Each tenant of an Affordable Housing Unit shall be offered a rent stabilized lease for a term of either one or two years, at such tenant's option.

§63-05 Hotels, Motels and Tourist Cabins.

(a) Eligible Sites located on land that contained dwelling units designated as Motel rooms or as Tourist Cabins on the certificate of occupancy in effect three years prior to the Commencement Date shall not be subject to subdivision ten of the Act with respect to any dwelling units in such Motel or Tourist Cabin that existed on such date and that were thereafter demolished, removed or reconfigured.

(b) No Eligible Multiple Dwelling that is operated as a Hotel shall be eligible for ANNY Program Benefits.

§63-06 Penalty Provisions.

On or after the expiration date of the Ten Year Benefit, Twenty Year Benefit, Thirty-Five Year Benefit or Forty-Year Benefit, as applicable, the Agency may, after providing notice and an opportunity to be heard in accordance with the procedures established pursuant to chapter 39 of this title, impose a penalty for any violations of the

Rent Stabilization requirements or the affordability requirements established pursuant to subdivision eight of the Act, on the owner of such Eligible Site at the time of such violation, in accordance with the following method of calculation: A penalty imposed under this section shall be computed as a percentage of the capitalized value of all ANNY Program Benefits on the Eligible Site containing such Rental Project, calculated as of the first year that benefits were conferred, not to exceed one thousand percent. The Agency shall establish a schedule in accordance with this formula.

**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: Rules Relating to Affordable Neighborhoods for New Yorkers Tax Incentive Program

REFERENCE NUMBER: 2024 RG 068

RULEMAKING AGENCY: 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: September 19, 2024

**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: Proposed RPTL 485-x Rule Amendments (HPD)

REFERENCE NUMBER: HPD-95

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 a cure period is not practicable under the circumstances.

/s/ Grace Francese
Mayor's Office of Operations

September 19, 2024
Date

Accessibility questions: John Leonard, (212) 863-6603, leonardj@hpd.nyc.gov, by: Wednesday, October 30, 2024, 5:00 P.M.



SPECIAL MATERIALS

CHANGES IN PERSONNEL

GUTTMAN COMMUNITY COLLEGE FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Guttman Community College.

COMMUNITY COLLEGE (BRONX) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Bronx).

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Queensboro).

COMMUNITY COLLEGE (KINGSBORO) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Kingsboro).

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Manhattan).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for various departments.

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Manhattan).

CUNY CENTRAL OFFICE FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for CUNY Central Office.

COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (Hostos).

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Community College (LaGuardia).

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 08/02/24

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Hunter College High School.