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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

MEETING

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, NY 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, NY 10007, at 1:30 P.M.



Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/ccrb/html/meeting.html> for additional information and scheduling changes.

Design Commission

Meets at City Hall, Third Floor, New York, NY 10007. For meeting schedule, please visit nyc.gov/designcommission or call (212) 788-3071.

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 100 Church Street, 12th Floor, Training Room #143, New York, NY 10007 at 9:15 A.M. once a month at the call of the Chairman.

Board of Health

Meets at Gotham Center, 42-09 28th Street, Long Island City, NY 11101, at 10:00 A.M., quarterly or at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, NY 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, NY 10004.

Commission on Human Rights

Meets on 10th Floor in the Commission's Central Office, 40 Rector Street, New York, NY 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise and Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, and other days, times and location as warranted.

Real Property Acquisition and Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, NY 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings of the New York City Housing Authority are scheduled for the last Wednesday of each month (except August) at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY 10007 (unless otherwise noted). Any changes to the schedule will be posted here and on NYCHA's website at http://www.nyc.gov/html/nycha/html/about/boardmeeting_schedule.shtml to the extent practicable at a reasonable time before the meeting. For additional information, please visit NYCHA's website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, NY 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, NY 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, NY 10007, each month at the call of the President. Manhattan, monthly on Wednesdays, commencing 2:30 P.M.

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Landmarks, Public Sitings, and Dispositions will hold a remote public hearing on the following matters, commencing at 2:00 P.M., on September 22, 2020, at https://council.nyc.gov/livestream/. Please visit https://council.nyc.gov/testify/ in advance for information about how to testify and how to submit written testimony.

MANIDA STREET HISTORIC DISTRICT

BRONX CB - 17 20205400 HKX (N 210006HKX)

A designation by the Landmarks Preservation Commission [DL-517/LP-2644], pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, of the Manida Street Historic District containing the properties bounded by a line beginning on the eastern curbline of Manida Street at a point on a line extending westerly from the northern property line of 870 Manida Street, and extending easterly along said line and along the northern property line of 870 Manida Street, southerly along the eastern property lines of 870 to 814 Manida Street, westerly along the southern property line of 814 Manida Street to the eastern curbline of Manida Street, northerly along said curbline to a point on a line extending easterly from the southern property line of 819 Manida Street, westerly along said line across Manida Street and along the southern property line of 819 Manida Street, northerly along the western property lines of 870 to 861 Manida Street, easterly along the northern property line of 861 Manida Street and across Manida Street to its eastern curbline, and northerly along said curbline to the point of beginning.

Accessibility questions: Kaitlin Greer, kgreer@council.nyc.gov, by: Thursday, September 17, 2020, 3:00 P.M.



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

The Subcommittee on Zoning and Franchises will hold a remote public hearing on the following matters, commencing, at 10:00 A.M. on September 24, 2020, at https://council.nyc.gov/livestream/. Please visit https://council.nyc.gov/testify/ in advance for information about how to testify and how to submit written testimony.

1510 BROADWAY

BROOKLYN CB - 16

N 200082 ZRK

Application submitted by the Department of Housing Preservation and Development, 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.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

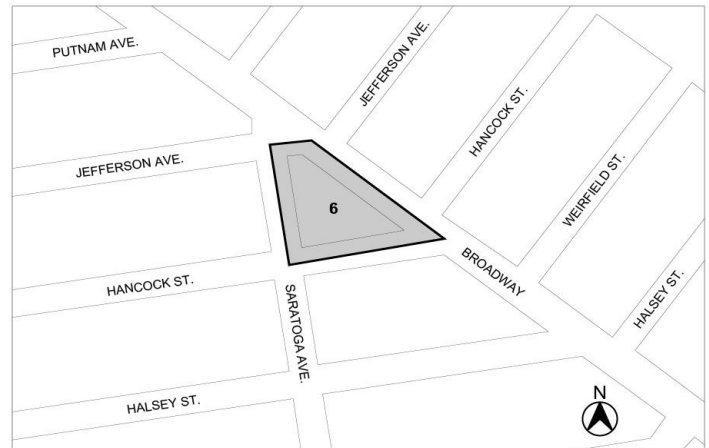
* * *

Brooklyn Community District 16

* * *

Map 5 - [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 6 — [date of adoption] - MIH Program Option 1 and 2

Portion of Community District 16, Brooklyn

* * *

1510 BROADWAY

BROOKLYN CB - 16

C 200083 PQK

Application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located, at 1510 Broadway (Block 1489, p/o Lot 11) to facilitate transit infrastructure.

1510 BROADWAY

BROOKLYN CB - 16

C 200084 HAK

Application submitted by the Department of Housing Preservation and Development (HPD)

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property, located, at 1510 Broadway (Block 1489, Lot 11) as an Urban Development Action Area; and
 - b. Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate a mixed-use development containing approximately 107 affordable residential units and commercial space.

1510 BROADWAY

BROOKLYN CB - 16

C 200085 ZMK

Application submitted by the Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17a:

1. eliminating from within an existing R6 District a C1-3 District, bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue;
2. changing from an R6 District to an R7-1 District property, bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue; and
3. establishing within the proposed R7-1 District a C2-4 District, bounded by the easterly centerline prolongation of Jefferson Avenue, Broadway, Hancock Street, and Saratoga Avenue;

as shown on a diagram (for illustrative purposes only) dated December 2, 2019.

3 ST. MARKS PLACE

MANHATTAN CB - 3

C 200077 ZSM

Application submitted by REEC St. Marks LP, pursuant to Sections 197- c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74- 79 of the Zoning Resolution:

1. to allow transfer of 8,386 square feet of floor area from property, located, at 4 St. Marks Place (Block 463, Lot 11) that is occupied by a landmark building (Hamilton-Holly House) to property, located, at 3 St. Marks Place (Block 464, Lots 1, 3, and 59); and
2. to modify the height and setback requirements of Section 33-432 (In other Commercial Districts);

to facilitate the development of a 10-story commercial building on property, located, at 3 St. Marks Place (Block 464, Lots 1, 3, and 59), in a C6-1 District.

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: Monday, September 21, 2020, 3:00 P.M.



s18-24

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Education Retirement System Board of Trustees Meeting, will be held, at 4:00 P.M., on Tuesday, September 22, 2020, via Webex. If you would like to attend this meeting, please contact BERS Executive Director, Sanford Rich, at Srich4@bers.nyc.gov.

a31-s22

EMERGENCY MANAGEMENT

■ MEETING

Annual Meeting of the Local Emergency Planning Committee (LEPC)

**Tuesday September 22, 2020
11:00 A.M. to 1:00 P.M.**

New York City Emergency Management

To join this meeting please visit:

<https://nycem.webex.com/nycem/j.php?MTID=mf29ae5274efcc0c7ec8b23d758b35d92>

If prompted, please enter the following information:

**Meeting number (access code): 173 123 7387
Meeting password: B7aRqJV5MH8**

To request an accommodation, please email: nycoemlegal@oem.nyc.gov

All accommodation requests should be submitted by September 16, 2020

Accessibility questions: nycoemlegal@oem.nyc.gov, by: Wednesday, September 16, 2020, 5:00 P.M.



s10-21

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ MEETING

Notice of NYC Equal Employment Practices Commission Meeting (Open to the Public)

When and where is the Commission Meeting? The Equal Employment Practices Commission's upcoming Commission Meeting, will take place, at 10:30 A.M., on Thursday, September 24, 2020. The meeting will be conducted by video conferenc, via WebEx, using the details below:

**Meeting number (event number): 173 246 8751
Meeting password: 58J5HsjfCm**

- **Join by internet**
Click to join meeting
- **Join by phone**
(408) 418-9388 United States Toll
- **Join by video system or application**
Dial 713171861@webex.com
You can also dial 173.243.2.68 and enter your meeting number.

How do I ask questions during the Commission meeting?

Anyone can ask questions during the Commission meeting by:

- **WebEx.** You can submit your questions directly through the chat panel of the WebEx once joined, via the internet option above.
- **Email.** You can email questions, to mpinckney@eepc.nyc.gov.

Is there a deadline to submit questions? Yes, you must submit all questions during the meeting session, on September 24, 2020.

Can I review the recording of the Commission Meeting? Yes, you can review the recorded Commission meeting, which will be made available online, by going to the Equal Employment Practices Commission's YouTube page, <https://www.youtube.com/channel/UCdGAE4d4p-esdjymDTdGSfA/featured>, a few days after the meeting.

s17-24

FINANCE

■ PUBLIC HEARINGS

A meeting of the NYC Banking Commission, is scheduled for Tuesday, September 29th, at 2:00 P.M.

Meeting Agenda:

1. Roll Call
2. Acceptance of Minutes of May 13, 2020 Banking Commission meeting
3. Designation of Keybank and Wells Fargo Bank as NYC Designated Banks

This meeting will be held remotely via WebEx teleconference: https://nycdof.webex.com/mw3300/mywebex/default.do?nomenu=true&siteurl=nycdof&service=6&rnd=0.44673594240319703&main_url=https%3A%2F%2Fnycdof.webex.com%2Fec3300%2Feventcenter%2Fevent%2FeventAction.do%3FtheAction%3Ddetail%26%26EMK%3D4832534b00000041efb6c731d8247ee79292ff12f9e671d45e5004ea14a6abf79e9801954eb9b8b%26siteurl%3Dnycdof%26confViewID%3D172743915769729312%26encryptTicket%3DSDJTSwAAAAQGbfmPFuRyw84JMJd4m6yGisccZnKzPqTa7sLKQRCA2%26email%3Dwhitaker%2540finance.nyc.gov

s21-29

HOUSING AUTHORITY

■ MEETING

Because of the ongoing COVID-19 health crisis and in relation to Governor Andrew Cuomo's Executive Orders, the Board Meeting of the New York City Housing Authority, scheduled for Wednesday, September 30, 2020, at 10:00 A.M., will be limited, to viewing the live-stream or listening, via phone, instead of attendance in person.

For public access, the meeting will be streamed live on NYCHA's Website, at <http://nyc.gov/nycha>, and on <http://on.nyc.gov/boardmeetings>, or can be accessed, by calling 1(408) 418-9388, using Event number (access code): 173 114 4445, and Event password: nychaboard.

For those wishing to provide public comment, pre-registration is required, via email, to corporate.secretary@nycha.nyc.gov, or by contacting (212) 306-6088, no later than 5:00 P.M., on the day prior to the Board Meeting. When pre-registering, please provide your name, development or organization name, contact information and item you wish to comment on. You will then be contacted with instructions for providing comment. Comments are limited to the items on the Calendar.

Speaking time will be limited to three minutes. Speakers will provide comment in the order in which the requests to comment are received. The public comment period will conclude upon all speakers being heard, or at the expiration of 30 minutes allotted for public comment, whichever occurs first.

Copies of the Calendar will be available on NYCHA's Website, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website, no earlier than 3:00 P.M., on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website, at <http://www1.nyc.gov/site/nycha/about/board-calendar.page>, to the extent practicable, at a reasonable time before the meeting.

For additional information, please visit NYCHA's Website, or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary by phone (212) 306-6088, or by email, at corporate.secretary@nycha.nyc.gov, by: Wednesday, September 16, 2020, 5:00 P.M.



s11-30

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, September 22, 2020, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties listed below, and then followed by a public meeting. 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. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyclpc. Members of the public should observe the meeting on the YouTube channel 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, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov or (646) 248-0220 at least five (5) business days before the hearing or meeting. **Please Note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

611 2nd Street - Park Slope Historic District
LPC-20-09034 - Block 1077 - Lot 55 - Zoning: R7B
CERTIFICATE OF APPROPRIATENESS
An Italianate style rowhouse, designed by Eisenla & Carlson and built in 1908. Application is to construct rooftop and rear yard additions.

135 Plymouth Street, aka 1-15 Adams Street and 2-10 John Street - DUMBO Historic District

LPC-21-01765 - Block 18 - Lot 1 - Zoning: M1-4/R8A
CERTIFICATE OF APPROPRIATENESS
A Romanesque Revival style factory building, designed by William B. Tubby and built in 1891, and a component of 135 Plymouth Street, a factory complex occupying the entire block, consisting of three attached buildings, built between 1879 and 1904. Application is to install signage.

85 Christopher Street - Greenwich Village Historic District
LPC-19-39827 - Block 619 - Lot 81 - Zoning: R6, C1-6
CERTIFICATE OF APPROPRIATENESS
An apartment building with stores, designed by W.J. Gessner and built in 1872. Application is to replace windows.

72 Grand Street - SoHo-Cast Iron Historic District
LPC-20-05637 - Block 475 - Lot 61 - Zoning: M1-5B
CERTIFICATE OF APPROPRIATENESS
A vacant lot. Application is to construct a new building.

600 Broadway - SoHo-Cast Iron Historic District
LPC-21-01324 - Block 511 - Lot 16 - Zoning: M1-5B
CERTIFICATE OF APPROPRIATENESS
A store building, designed by Samuel A. Warner and built in 1883-84. Application is to modify storefront infill and install signage.

770 Broadway - NoHo Historic District
LPC-21-01284 - Block 551 - Lot 1 - Zoning: C6-2
CERTIFICATE OF APPROPRIATENESS
A Renaissance Revival style department store building, designed by D.H. Burnham & Co. and built in 1903-07, with an addition built in 1924-25. Application is to establish a Master Plan governing the future installation of storefronts.

2 9th Avenue - Gansevoort Market Historic District
LPC-21-01311 - Block 628 - Lot 1 - Zoning: M1-5
CERTIFICATE OF APPROPRIATENESS
An Arts & Crafts style warehouse building, designed by LaFarge, Morris & Cullen, built in 1913 and altered in 1953. Application is to install signage.

29 East 11th Street - Greenwich Village Historic District
LPC-20-09262 - Block 569 - Lot 29 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS
A Greek Revival style rowhouse, built between 1842 and 1845. Application is to reconstruct rooftop and rear yard additions.

72-76 West 11th Street - Greenwich Village Historic District
LPC-21-00029 - Block 574 - Lot 8 - Zoning: R6 C1-6
CERTIFICATE OF APPROPRIATENESS
An early 19th century cemetery. Application is to reconstruct and alter the cemetery wall.

55 West 86th Street - Upper West Side/Central Park West Historic District
LPC-20-10940 - Block 1200 - Lot 4 - Zoning: R10A, C1-5
CERTIFICATE OF APPROPRIATENESS
A Queen Anne style townhouse, designed by John G. Prague and built in 1888-89. Application is to replace storefront infill and windows and alter the commercial facade.

262 Central Park West - Upper West Side/Central Park West Historic District
LPC-21-00790 - Block 1200 - Lot 31 - Zoning: R10A
CERTIFICATE OF APPROPRIATENESS
A Neo-Renaissance style apartment building, designed by Sugarman & Berger and built in 1927-28. Application is to establish a Master Plan governing the future installation of windows.

147 East 69th Street - Upper East Side Historic District
LPC-20-10634 - Block 1404 - Lot 25 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS
A garage/residence, originally built as a carriage house in 1880, and altered in the Neo-Georgian style by Barney & Colt in 1913. Application is to construct a rooftop addition and install a privacy wall at the rear terrace.

163 East 67th Street - Individual Landmark
LPC-20-08115 - Block 1402 - Lot 30 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS
A Moorish Revival style synagogue, designed by Schneider and Herter and built in 1889-1890. Application is to install LED signage.

210 East 62nd Street - Treadwell Farm Historic District
LPC-19-21568 - Block 1416 - Lot 43 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS
A rowhouse, designed by F. S. Barns and built in 1870, and altered in the 20th century. Application is to modify the design of the rear addition and legalize the construction of a rooftop addition and alterations to the rear facade in non-compliance with Certificate of Appropriateness 19-06723.

2935 Broadway (aka 2931-2939 Broadway; 600 West 115th Street) - Morningside Heights Historic District
LPC-20-10024 - Block 1896 - Lot 7501 - Zoning: R8 C1-4
CERTIFICATE OF APPROPRIATENESS
A Renaissance Revival style apartment building, designed by Gaetan Ajello and built in 1910. Application is to install window film at a storefront.

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, **September 22, 2020**, at 9:30 A.M., the Landmarks Preservation Commission (LPC or agency), will hold a public hearing by teleconference with respect to the properties list below, and then followed by a public meeting. 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. The teleconference will be by the Zoom app and will be live streamed on the LPC's YouTube channel, www.youtube.com/nyc LPC. Members of the public should observe the meeting on the YouTube channel 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, under the "Hearings" tab, <https://www1.nyc.gov/site/lpc/hearings/hearings.page>, on the Monday before the public hearing. Any person requiring language assistance services or other reasonable accommodation in order to participate in the hearing or attend the meeting should contact the LPC by contacting Rich Stein, Community and Intergovernmental Affairs Coordinator, at richstein@lpc.nyc.gov or (646) 248-0220 at least five (5) business days before the hearing or meeting. **Please Note: Due to the City's response to COVID-19, this public hearing and meeting is subject to change and/or cancellation.**

**East 25th Street Historic District
LP-2647 - Brooklyn
ITEM PROPOSED FOR PUBLIC HEARING**

The proposed East 25th Street Historic District consists of the properties bounded by a line beginning on the eastern curblin of East 25th Street at a point on a line extending westerly from the northern property line of 315 East 25th Street, and extending easterly along said line and the northern property line of 315 East 25th Street, southerly along the eastern property lines of 315 to 377 East 25th Street, westerly along the southern property line of 377 East 25th Street, across East 25th Street and along the southern property line of 378 East 25th Street, northerly along the western property lines of 378 to 314 East 25th Street, and easterly along the northern property line of 314 East 25th Street and across East 25th Street to the point of beginning.

s9-22

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held remotely commencing on Wednesday, September 30, 2020, at 2:00 P.M., via the WebEx platform, on the following petitions for revocable consent. Information needed to join the meeting can be found below. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (within at least seven days prior notice) by writing revocableconsents@dot.nyc.gov, or by calling (212) 839-6550.

WebEx:
Meeting Number (access code): 126 437 2197
Meeting Password: vPggUiBE295(87448423 from video systems)
Access Code: 1266290551

#1 IN THE MATTER OF a proposed revocable consent authorizing 69 Greene ACK LLC, to construct, maintain and use a fenced-in area and stoop on the north sidewalk of Greene Avenue, between Adelphi Street and Clermont Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2518**

From the Approval Date to June 30, 2030 -\$25/per annum

with the maintenance of a security deposit in the sum of \$28,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing Bayonne Energy Center LLC, to continue to maintain and use transmission cables under and along 25th Street Pier, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms

and conditions for compensation payable to the City according to the following schedule: **R.P. # 2118**

- For the period July 1, 2020 to June 30, 2021 - \$46,709
- For the period July 1, 2021 to June 30, 2022 - \$47,450
- For the period July 1, 2022 to June 30, 2023 - \$48,191
- For the period July 1, 2023 to June 30, 2024 - \$48,932
- For the period July 1, 2024 to June 30, 2025 - \$49,673
- For the period July 1, 2025 to June 30, 2026 - \$50,414
- For the period July 1, 2026 to June 30, 2027 - \$51,155
- For the period July 1, 2027 to June 30, 2028 - \$51,896
- For the period July 1, 2028 to June 30, 2029 - \$52,637
- For the period July 1, 2029 to June 30, 2030 - \$53,378

with the maintenance of a security deposit in the sum of \$53,500 the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Chilmark Realty, Inc., continue to maintain and use benches on the south sidewalk of Spring Street, west of Crosby Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1740**

For the period July 1, 2020 to June 30, 2030 -\$1,200/per annum

with the maintenance of a security deposit in the sum of \$1,200 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing Debra Rebecca Sapp and Michael Charles Sapp, to construct, maintain and use a fenced-in area, including a stoop, steps and a planted area on the north sidewalk of 3rd Street, east of Smith Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2515**

From the Approval Date to June 30, 2031 -\$100/per annum

with the maintenance of a security deposit in the sum of \$7,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Findlay Teller Housing Development Fund Corporation, to continue to maintain and use a bridge over and across Teller Avenue, north of East 167th Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1038**

- For the period July 1, 2020 to June 30, 2021 - \$1,006
- For the period July 1, 2021 to June 30, 2022 - \$1,022
- For the period July 1, 2022 to June 30, 2023 - \$1,038
- For the period July 1, 2023 to June 30, 2024 - \$1,054
- For the period July 1, 2024 to June 30, 2025 - \$1,070
- For the period July 1, 2025 to June 30, 2026 - \$1,086
- For the period July 1, 2026 to June 30, 2027 - \$1,102
- For the period July 1, 2027 to June 30, 2028 - \$1,118
- For the period July 1, 2028 to June 30, 2029 - \$1,134
- For the period July 1, 2029 to June 30, 2030 - \$1,150

with the maintenance of a security deposit in the sum of \$10,250 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Findlay Teller Housing Development Fund Corporation, to continue to maintain and use a bridge over and across Findlay Avenue, north of East 167th Street, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 948**

- For the period July 1, 2020 to June 30, 2021 - \$1,106
- For the period July 1, 2021 to June 30, 2022 - \$1,124
- For the period July 1, 2022 to June 30, 2023 - \$1,142
- For the period July 1, 2023 to June 30, 2024 - \$1,160
- For the period July 1, 2024 to June 30, 2025 - \$1,178
- For the period July 1, 2025 to June 30, 2026 - \$1,196
- For the period July 1, 2026 to June 30, 2027 - \$1,214

For the period July 1, 2027 to June 30, 2028 - \$1,232
 For the period July 1, 2028 to June 30, 2029 - \$1,250
 For the period July 1, 2029 to June 30, 2030 - \$1,268

with the maintenance of a security deposit in the sum of \$11,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing Gerald Gehman, to continue to maintain and use a fenced-in area on the north sidewalk of East 93rd Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1750**

For the period from July 1, 2020 to June 30, 2030 - \$25/annum

with the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing 5 Harrison Associates, Ltd, to continue to maintain and use a vault under Staple Street, immediately south of Harrison Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2020 to June 30, 2030 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 1757**

For the period July 1, 2020 to June 30, 2021 - \$8,196
 For the period July 1, 2021 to June 30, 2022 - \$8,333
 For the period July 1, 2022 to June 30, 2023 - \$8,470
 For the period July 1, 2023 to June 30, 2024 - \$8,607
 For the period July 1, 2024 to June 30, 2025 - \$8,744
 For the period July 1, 2025 to June 30, 2026 - \$8,881
 For the period July 1, 2026 to June 30, 2027 - \$9,018
 For the period July 1, 2027 to June 30, 2028 - \$9,155
 For the period July 1, 2028 to June 30, 2029 - \$9,292
 For the period July 1, 2029 to June 30, 2030 - \$9,429

with the maintenance of a security deposit in the sum of \$9,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing 131 Perry Street Apartment Corp., to construct, maintain and use a ramp and steps on the north sidewalk of Perry Street, west of Greenwich Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2496**

From the Approval Date to June 30, 2031 - \$25/per annum

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing 884 Westend LLC, to construct, maintain and use a ramp and steps on the east sidewalk of West End Avenue, north of West 103rd Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2497**

From the Approval Date to June 30, 2031 - \$25/per annum

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Central Park Tower Condominium, to construct, maintain and use two snowmelt systems under the north sidewalk of West 57th Street and under the south sidewalk of West 58th Street, both between Broadway and 7th Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2490**

From the Approval Date to June 30, 2021 - \$5,982/per annum
 For the period July 1, 2021 to June 30, 2022 - \$6,078
 For the period July 1, 2022 to June 30, 2023 - \$6,174
 For the period July 1, 2023 to June 30, 2024 - \$6,270
 For the period July 1, 2024 to June 30, 2025 - \$6,366
 For the period July 1, 2025 to June 30, 2026 - \$6,462
 For the period July 1, 2026 to June 30, 2027 - \$6,558
 For the period July 1, 2027 to June 30, 2028 - \$6,654
 For the period July 1, 2028 to June 30, 2029 - \$6,750
 For the period July 1, 2029 to June 30, 2030 - \$6,846
 For the period July 1, 2030 to June 30, 2031 - \$6,942

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing East 67th Acquisition LLC, to construct, maintain and use a stairs together with planters, a fenced-in area, together with steps, and a snowmelt system on and under the south sidewalk of East 67th Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2499**

From the Approval Date to June 30, 2030 - \$25/per annum

with the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing New York Presbyterian Brooklyn Methodist, to construct, maintain and use a planted area on the west sidewalk of 8th Avenue, south of 5th Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2499**

From the Approval Date to June 30, 2031 - \$969/per annum

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#14 IN THE MATTER OF a proposed revocable consent authorizing NOH Realty Corp., to construct, maintain and use a ramp and steps on the west sidewalk of Broadway, north of Spring Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2495**

From the Approval Date to June 30, 2031 - \$25/per annum

with the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#15 IN THE MATTER OF a proposed revocable consent authorizing Polhemus Residences Condominium, to construct, maintain and use a ramp and steps and 3 planters on the south sidewalk of Amity Street, west of Henry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2498**

From the Approval Date to June 30, 2031 - \$148/per annum

with the maintenance of a security deposit in the sum of \$8,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#16 IN THE MATTER OF a proposed revocable consent authorizing Trustees of Columbia University in the City of New York, to construct, maintain and use a conduit under, along and across the south side of West 166th Street between St. Nicholas Avenue and Broadway; under, along and across the east sidewalk of Broadway between West 166th and West 165th Streets; and under along and across the north sidewalk of West 165th Street between Broadway and Fort Washington Avenue, all in the Borough of Manhattan. The proposed revocable consent is for

a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2494**

- From the Approval Date to June 30, 2021 - \$12,112/per annum
- For the period July 1, 2021 to June 30, 2022 - \$12,307
- For the period July 1, 2022 to June 30, 2023 - \$12,502
- For the period July 1, 2023 to June 30, 2024 - \$12,697
- For the period July 1, 2024 to June 30, 2025 - \$12,892
- For the period July 1, 2025 to June 30, 2026 - \$13,087
- For the period July 1, 2026 to June 30, 2027 - \$13,282
- For the period July 1, 2027 to June 30, 2028 - \$13,477
- For the period July 1, 2028 to June 30, 2029 - \$13,672
- For the period July 1, 2029 to June 30, 2030 - \$13,867
- For the period July 1, 2030 to June 30, 2031 - \$14,062

with the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#17 IN THE MATTER OF a proposed revocable consent authorizing Trustees of Columbia University in the City of New York, to construct, maintain and use a conduit under, along and across the north sidewalk of West 169th Street, east of Haven Avenue and under, along and across east side of Haven Avenue, between West 169th Street and West 171st Street, all in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2493**

- From the Approval Date to June 30, 2021 - \$11,508/per annum
- For the period July 1, 2021 to June 30, 2022 - \$11,694
- For the period July 1, 2022 to June 30, 2023 - \$11,880
- For the period July 1, 2023 to June 30, 2024 - \$12,066
- For the period July 1, 2024 to June 30, 2025 - \$12,252
- For the period July 1, 2025 to June 30, 2026 - \$12,438
- For the period July 1, 2026 to June 30, 2027 - \$12,624
- For the period July 1, 2027 to June 30, 2028 - \$12,810
- For the period July 1, 2028 to June 30, 2029 - \$12,996
- For the period July 1, 2029 to June 30, 2030 - \$13,182
- For the period July 1, 2030 to June 30, 2031 - \$13,368

with the maintenance of a security deposit in the sum of \$15,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#18 IN THE MATTER OF a proposed revocable consent authorizing West 10th Townhouse LLC, to construct, maintain and use a snowmelt system on the north sidewalk of West 10th Street, between Avenue of the Americas and 5th Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2502**

From the Approval Date to June 30, 2031 - \$25/per annum

with the maintenance of a security deposit in the sum of \$8,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

s10-30

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

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

Vehicles can be viewed in person at: Insurance Auto Auctions, North Yard

156 Peconic Avenue, Medford, NY 11763
Phone: (631) 294-2797

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

s4-f22

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the Internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

ENVIRONMENTAL PROTECTION

■ SALE

REQUEST FOR BID

**Forest Management
Project # 5192
"Hill & Dale"**

NOTICE OF PROJECT AVAILABILITY

Project Information/Description: *Bid Solicitation for the Sale of Timber and Firewood in the Town of Conesville, NY.* The City of New York will sell approximately 131 thousand board feet of hardwood and softwood sawtimber (International ¼" Rule) and approximately 352 cords of hardwood firewood through Forest Management Project #5192. The project is located across approximately 80 acres of New York City-Owned watershed land, in the Schoharie Reservoir watershed, Town of Conesville, Schoharie County, NY.

Availability of Bid Information: Bid Solicitation information is available by contacting DEP Forester, Todd Baldwin, at (845) 340-7854, or requesting, via email, at tbaldwin@dep.nyc.gov.

Show Dates: Prospective bidders are required to attend one of the two public showings, in order to receive a bid package necessary, to submit a valid bid. The showings will be held, on Wednesday, October 7, 2020, at 1:00 P.M. and Thursday, October 8, 2020, at 9:00 A.M. We will meet at the project site on South Mountain Road, just west of Hubbard Hill (Beaver Hill) Road, Conesville, NY.

All prospective bidders must notify the DEP Forester of the representatives they will be sending to the showing at least 24 hours in advance.

Required Contractor Qualification:

1. The Contractor must maintain the required Workers Compensation and Disability Benefits Coverage;
2. The Contractor shall furnish and maintain required Commercial General Liability Insurance Policy;
3. The Contractor must have demonstrated experience, ability and equipment to assure removal of timber under terms of the agreement.

Bid Due Date: All bid proposals must be received by Todd Baldwin, 71 Smith Avenue, Kingston, NY 12401 (845-340-7854), **NO LATER THAN Tuesday, October 27, 2020, at 3:00 P.M., local time.**

Bid Opening: Sealed bids will be opened publicly, at the DEP Office, 71 Smith Avenue, Kingston, NY, on Wednesday, October 28, 2020, at 9:00 A.M., local time. The projected date for awarding the bid is on or about November 6, 2020.

NYC Environmental Protection		City of New York Natural Resources Division Timber Volume Report Hill & Dale Forest Management Project #5192						
Board foot volume -- International 1/4" Rule (form class 78)								
DBH Class	Ash	Red Oak	Sugar Maple	Aspen	Red Maple	Other ¹	Total BF	Mixed Hardwood Cords ²
10								82.0
12	2275		174				2,449	114.7
14	9297	78	1118	105		187	10,785	59.5
16	21139	678	2897	707	766	396	26,585	86.0
18	22920	3303	5010	1149	1380	144	33,906	19.1
20	16126	6047	3780	1828	481	548	28,810	11.5
22	5786	6093	733	368	379		13,359	
24	5998	3801					9,799	
26	1073	2678					3,751	
28	510	2005					2,515	
30							0	
32							0	
Total Volume	85,124	24,683	13,712	4,157	3,006	1,277	131,959	352.8
Count	477	84	84	17	15	10	687	1280
Volume/tree	178.5	293.8	163.2	244.5	200.4	127.7	192.1	0.3
% Total BF	65%	19%	10%	3%	2%	1%	100%	---
Cull Count ³								2027
Total Number of Trees								3994

¹Paper birch, white pine. ²Approx. 60% Ash, 14% sugar maple, 14% red maple, 11% birch (by number of trees)
³Cull count includes ~997 <6" hardwood trees, ~883 <10" hardwood trees & ~197 larger cull or hazard trees

s11-24

Environmental Protection, Natural Resources Division
 Forest Management Project # 5095 "Missing Jar"
NOTICE OF PROJECT AVAILABILITY

Description: The City of New York will sell approximately 75 thousand board feet of sawtimber and approximately 265 cords of hardwood firewood, through Forest Management Project #5095. The project, is located within the approximately 72 acre *Missing Jar Forest Management Project* areas, on New York City-Owned watershed land, in the Ashokan Reservoir East Basin, Town of Hurley, Ulster County, NY. Bid solicitation information is available, by contacting DEP Forester, Tom Foulkrod, at (845) 340-7223, or requesting, via email, at tfoulkrod@dep.nyc.gov.

Show Dates: Prospective bidders are required to attend one of the two public showings, in order to receive a bid package necessary, to submit a valid bid. The showings will be held, on **Thursday, October 1, 2020, at 1:00 P.M. and Friday, October 2, 2020, at 9:00 A.M.** We will meet at the project site (Gate E-11), on State Route 28, between Laurel Lane and Stoutenburg Lane, Hurley, NY 12443.

Bidding: All bid proposals must be received, by Tom Foulkrod, 71 Smith Avenue, Kingston, NY 12401 (845-340-7223), **NO LATER THAN Tuesday, October 20, 2020, at 3:00 P.M., local time.** Sealed bids will be publicly opened, at the DEP Office, 71 Smith Avenue, Kingston, NY, on Wednesday, October 21, 2020, at 9:00 A.M., local time. The projected date for awarding the bid is on or about October 30, 2020.

NYC Environmental Protection		City of New York Natural Resources Division Timber Volume Report Missing Jar Forest Management Project #5095						
Board foot volume -- International 1/4" Rule (form class 78 unless otherwise noted)								
DBH Class	White Pine ¹	Hickory	Northern red oak ²	white oak	chestnut oak	Other hardwoods ³	Total BF	Hardwood Cords ⁴
10	-	-	-	-	-	-	-	46.6
12	5,258	3561	1,854	446	610	56	11,785	52.7
14	5,109	4965	2,988	1128	2410	78	16,676	45.1
16	5,844	2229	4,685	1030	2711	0	16,499	39.9
18	4,604	2736	3,744	370	1887	0	13,341	26.1
20	2,111	1228	4,683	234	1122	0	9,378	24.4
22	1,303	458	3,041	368	368	0	5,538	8.7
24	557	0	882	0	0	0	1,439	2.2
26	0	0	1,155	0	0	0	1,155	0.0
28	0	0	0	0	0	0	0	0.0
30	0	0	0	0	0	0	0	0.0
32	0	0	0	0	0	0	0	0.0
Total Volume	24,786	15,177	23,030	3,576	9,108	134	75,811	265.1
Tree Count	160	114	136	27	64	2	503	1032
Volume/tree	154.9	133.1	169.3	132.4	142.3	67.0	150.7	0.3
% Total BF	33%	20%	30%	5%	12%	0%	100%	---
Culls ⁵								889

¹Form class 80 ²Includes ~25% black/scarlet oak ³Includes hard & soft maple ⁴Cords include: 80% oak, 19% hickory, 1% maple
⁵Culls include: commercial trees <10" DBH (78% hardwood and 22% softwood), and interfering understorey species.

s11-24

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

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

j2-d31

POLICE

■ NOTICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT

The following list of properties is in the custody of the Property Clerk Division without claimants: Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-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

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 prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy

by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are 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, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed, at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children's Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

ADMINISTRATION FOR CHILDREN'S SERVICES

ADMINISTRATION

■ SOLICITATION

Services (other than human services)

SERVICE MATCHING TECHNOLOGY SOFTWARE - Request for Information - PIN#068-21-RFI-0001 - Due 10-13-20 at 5:00 P.M.

The Administration for Children's Services ("ACS"), is surveying software application vendors who are capable of providing a technology solution to submit, process, track, manage, and report on approximately 20,000 family referrals annually to one of two-hundred prevention service programs across New York City and within the NYC ACS Division of Preventive Services (DPS), Division of Child Protection (DCP) and the Division of Permanency (FPS). The technology solution should be able to incorporate all elements needed to support the prevention referral journey from engagement with families and identification of needs during the DCP investigation to intake of the case at one of our 200 prevention services programs. The technology solution will support the work of DCP, DPS Referral Consultants, ACS leadership, and Prevention Providers in their ability to submit, track, manage, and report on the approximate 1800 referrals processed each month that supports the agency and each stakeholders' goal. ACS has prepared an RFI document containing full details regarding the technology solution that it is seeking. The RFI document is available for download on the ACS website by following the steps below: Go to www.nyc.gov/acs Once on the homepage, look for the "How Do I" dropdown menu on the left side of the screen. Select "Respond to RFP" from the dropdown menu and you will be brought to the "Doing Business With ACS" page. On the "Doing Business With ACS" page, look for "Current ACS Business Opportunities" toward the bottom of the page- then select "Go to RFP Online." On the next screen, under "Current Documents," you may select "Other Documents" and a listing of current RFI's will be shown. Follow the steps indicated in order to view and download. Vendors that wish to respond to the RFI shall submit their RFI response via email to the following mailbox: AdminContractsRFI@acs.nyc.gov. Any questions regarding this Request for Information shall be addressed to the Contracting Officer, Doron Pinchas, by email, at doron.pinchas@acs.nyc.gov or by phone, at (646) 889-3919.

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.

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Doron Pinchas (646) 889-3919; doron.pinchas@acs.nyc.gov

☛ s21-25

CITYWIDE ADMINISTRATIVE SERVICES

ADMINISTRATION

■ SOLICITATION

Goods

CANINE FOOD FOR NYPD - Competitive Sealed Bids - PIN# 2000086857 - Due 10-6-20 at 10:00 A.M.

Dog food for NYPD Canine units.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Shaquanna Williams (646) 368-0402; shaquawilliams@dcas.nyc.gov

☛ s21

OFFICE OF CITYWIDE PROCUREMENT

■ SOLICITATION

Goods

MARKING DEVICES - Competitive Sealed Bids - PIN#8572000150 - Due 10-27-20 at 10:30 A.M.

A copy of the bid can be downloaded from City Record Online, at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request the bid by contacting Vendor Relations via email, at dcasdmssbids@dcas.nyc.gov, or by telephone at (212) 386-0044.

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.

Citywide Administrative Services, 1 Centre Street, 18th Floor, Bid Room, New York, NY 10007. Fenglin Guo (212) 386-5024; feguo@dcas.nyc.gov

☛ s21

HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Services (other than human services)

SMD RENTAL AND MAINTENANCE INCLUSIVE OF MOBILIZATION/DE-MOBILIZATION OF PORTABLE DIESEL/ SOLAR LIGHT TOWERS AT VARIOUS DEVELOPMENTS LOCATED WITHIN ALL FIVE (5) BOROUGHES OF NEW YORK CITY - Competitive Sealed Bids - PIN# 145887 - Due 10-15-20 at 10:00 A.M.

The Contractor awarded the Contract, shall provide all equipment, personnel, transportation and supervision, required to support the provision of light towers at various NYCHA Developments, throughout all five (5) boroughs within the City of New York. Equipment shall be delivered to the designated site full of fuel and ready for use. In addition, the Contractor shall be responsible for securing light towers to insure the safety of individuals and surrounding structures, in general, but also in anticipation of inclement weather. The Contractor, as directed by NYCHA, shall be responsible for the mobilization of a light tower to another location or adjusting the angle of lighting or lighting height.

Interested vendors are invited to obtain a copy of the opportunity at NYCHA's website, by going to the <http://www.nyc.gov/nychabusiness>. 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 the RFQ Number (s) 145887.

Note: In response to the COVID-19 outbreak, 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.

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. Erneste Pierre-Louis (212) 306-3609; erneste.pierre-louis@nycha.nyc.gov

◀ s21

HUMAN RESOURCES ADMINISTRATION

CONTRACTS

■ INTENT TO AWARD

Services (other than human services)

ENCOMPASS OUTDOOR MEDIA SOLE SOURCE - Sole Source - Other - PIN#096 21 S0001 - Due 9-22-20 at 2:00 P.M.

The Mayor’s Office to End Domestic and Gender- Based Violence (ENDGBV), is requesting a Sole Source Contract with EMG Media Group, Inc., Encompass Outdoor Media for \$134,350 to pay for services rendered from 6/22/20 – 6/30/21. ENDGBV re-launched its “We Understand” campaign in response to COVID-19, a time of isolation, which caused an increase in incidents of domestic and gender based violence. EMG distributed and monitored campaign posters in three hundred and eighty-seven (387) C-Stores, Pharmacies and Grocery Stores, located in zip codes that reached targeted populations where the Advertisements would have the most impact. EMG has sole source agreements which extend a vast number of companies, located in these zip codes and has the exclusive contractual rights to provide advertising in those companies where they advertise.

EPIN: 096 21 S0001 Contract Term: 6/22/20 - 6/30/21 Contract Amount: \$134,350.00

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.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Frazier frazierjac@dss.nyc.gov

s15-21

OFFICE OF THE MAYOR

■ SOLICITATION

Services (other than human services)

RE-SOLICITATION: MODEL AND MAP FUTURE FLOOD RISK IN NEW YORK CITY - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#82620P0027 - Due 10-12-20 at 5:00 P.M.

The City of New York (the “City”), through the Department of Environmental Protection (“DEP”), requests the services of one or more qualified companies (the “Consultant”), to perform technical services related to dynamic flood modeling of future conditions in New York City (“NYC”), based on the latest Federal Emergency Management Agency (“FEMA”) storm surge model. RFP response due by September 14, 2020.

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.

Office of the Mayor, Mayor’s Office of Resiliency, 253 Broadway, New York, NY 10007-1602. Peter Adams (917) 821-4714; pfrmrjp@resiliency.nyc.gov

◀ s21

NYC HEALTH + HOSPITALS

METROPLUS HEALTH PLAN

■ SOLICITATION

Services (other than human services)

RFB FOR BITSIGHT TECHNOLOGIES SUBSCRIPTION SERVICES - Competitive Sealed Bids - PIN#M-RFB1005 - Due 10-8-20 at 3:00 P.M.

Please email, nolank@metroplus.org, if you require Exhibit A in Excel.

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, 160 Water Street, 3rd Floor, New York, NY 10038. Kathleen Nolan (212) 908-8730; nolank@metroplus.org

◀ s21

PARKS AND RECREATION

■ VENDOR LIST

Construction Related Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION (“DPR” AND/OR “PARKS”) PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.

NYC DPR is seeking to evaluate and pre-qualify a list of general contractors (a “PQL”) exclusively to conduct non-complex general construction site work involving the construction and reconstruction of NYC DPR parks and playgrounds projects not exceeding \$3 million per contract (“General Construction”).

By establishing contractor’s qualification and experience in advance, NYC DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. NYC DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL, will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

NYC DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendonline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>.

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, Olmsted Center Annex, Flushing Meadows – Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

j2-d31

AGENCY RULES

FINANCE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Department of Finance proposes amendments to the rules for the Senior Citizen Rent Increase Exemption (“SCRIE”) and Disability Rent Increase Exemption (“DRIE”) Programs, which provide eligible senior citizens and persons with disabilities with exemptions from certain rent increases and property owners with a corresponding abatement of real property taxes.

When and where is the hearing? The Department of Finance will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 A.M. on October 22, 2020. The hearing will be conducted remotely through Webex Event Center. To participate in the public hearing, enter the Webex URL <https://nycdof.webex.com>. If prompted to provide a password or number, please enter the following: *RpfqnxAN588*. You can also participate in the hearing via phone by calling 408-418-9388. The meeting access code is 173 684 2069.

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

- **Website.** You can submit comments to the Department of Finance through the NYC rules website: <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to fishmanb@finance.nyc.gov.
- **Mail.** You can mail written comments to NYC Department of Finance, Legal Affairs Division, 375 Pearl Street, 30th Floor, New York, NY 10038, Attn: Brittany Fishman.
- **Fax.** You can fax written comments to NYC Department of Finance, Attn: Brittany Fishman, at (212) 748-6982.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Joan Best, at (212) 748-7214. You can speak for up to three minutes.

Is there a deadline to submit written comments? The deadline to submit written comments is October 22, 2020.

What if I need assistance to participate in the hearing?

Please contact DOF’s Office of Legal Affairs 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 make any accommodation request by mail at the address given above. You may also make such request by contacting Joan Best; by telephone, by calling (212) 748-7214; TTY (212) 504-4115 or by email, at bestj@finance.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. Please provide at least five business days’ notice prior to the hearing to ensure availability.

This hearing has the following accessibility options available: Simultaneous transcriptions for people who are deaf or hard of hearing and audio-only access; American Sign Language interpretation on video. For audio-only access, call 408-418-9388. The meeting access code is 173 684 2069.

Can I review the comments made on the proposed rule? You can review the comments that have been submitted online by visiting the NYC rules website: <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be available to the public at NYC Department of Finance, Legal Affairs Division, 375 Pearl Street, 30th Floor, New York, NY 10038.

What authorizes Department of Finance to adopt this rule?

New York City Charter (“Charter”) sections 1043 and 1504 authorize the Department of Finance to adopt this proposed rule amendment. This proposed rule was included in the Department of Finance’s fiscal year 2020 regulatory agenda.

Where can I find the Department of Finance’s rules? The Department of Finance’s rules can be found in Title 19 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department of Finance must meet the requirements of Section 1043 of the Charter when creating or amending rules. This notice is made according to the requirements of Section 1043 of the Charter.

STATEMENT OF BASIS AND PURPOSE

The New York City Department of Finance is amending the rules for the Senior Citizen Rent Increase Exemption (“SCRIE”) and Disability Rent Increase Exemption (“DRIE”) Programs. The SCRIE and DRIE Programs are authorized by sections 467-b and 467-c of the New York State Real Property Tax Law and established by Chapter 3 (Section 26-401 et seq.), Chapter 4 (Section 26-501 et seq.) and Chapter 7 (Section 26-601 et seq.) of Title 26 of the Administrative Code of the City of New York. These programs provide eligible senior citizens and persons with disabilities with exemptions from certain rent increases. Covered property owners receive a corresponding abatement of real property taxes.

The proposed rules would amend Chapter 52 of Title 19 of the Rules of the City of New York to:

- Establish requirements for eligibility for SCRIE and DRIE benefits based on the applicant’s status and household income;
- Establish criteria for the types of apartments which are eligible for SCRIE and DRIE benefits;
- Establish criteria for the determination of SCRIE and DRIE abatement amounts set forth in Rent Increase Exemption Orders; and
- Establish an application process, including deadlines.

In addition, the proposed rules would provide definitions for relevant terms in Section 52-01 and move the current Rent Increase Exemption Orders provisions from Section 52-01 to new Sections 52-02 and 52-03.

New material is underlined

[Deleted material is bracketed]

“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. Section 52-01 of title 19 of the rules of the city of New York is REPEALED, and a new section 52-01 is added to read as follows:

§ 52-01 Definitions.

467-c apartment. The term “467-c apartment” means a dwelling unit, as defined by section 467-c of the real property tax law, that is owned by a limited dividend housing company, a redevelopment company or a housing development fund company incorporated under the private housing finance law, or a section 213 cooperative housing company or a mitchell lama apartment or co-op.

Agent. The term “agent” means a person who is either a court appointed guardian for the SCRIE or DRIE applicant, or a person who has been granted power of attorney authorization for SCRIE/DRIE applications.

Current rent. The term “current rent” means the monthly rent a SCRIE or DRIE beneficiary would have been required to pay if he or she did not receive such benefits.

Department. The term “department” means the department of finance of the city of New York.

DRIE. The term “DRIE” means the Disability Rent Increase Exemption Program.

Dwelling unit. The term “dwelling unit” means the part of a dwelling in which the head of the household resides and which is subject to either: (i) the emergency housing rent control law, (ii) the rent and rehabilitation law of the city of New York as provided in section 26-401 et seq. of the administrative code of the city of New York, (iii) article II, IV, V or XI of the private housing finance law, or (iv) a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the National Housing Act, as amended.

Eligible apartment. The term “eligible apartment” means any apartment eligible for SCRIE or DRIE benefits as that term is defined in section 52-06 of this chapter.

Family member. The term “family member” means a person meeting the definition of a family member set forth in subdivision (o) of section 2520.6 of the New York codes, rules, and regulations.

Frozen rent. The term “frozen rent” means the monthly rent a SCRIE or DRIE beneficiary is required to pay pursuant to a rent increase exemption approval order.

Fuel cost adjustment. The term “fuel cost adjustment” means the monthly amount a landlord of a rent controlled apartment may charge a tenant of such apartment for the cost of fuel. The tenant, however, will not be subject to a fuel cost adjustment or pass-along increase in rent as of June 14, 2019.

Head of the Household. The term “head of the household” means a person who is 62 years of age or older, or a person with a disability who is 18 years of age or older with tenancy rights to an eligible apartment who is otherwise eligible for SCRIE or DRIE benefits. If a head of the household is either married or a member of a registered domestic partnership, both spouses or partners shall be deemed to be the co-head of the household if they meet the eligibility requirements set forth in section 52-07(b).

HCR. The term “hcr” means the new york state homes and community renewal.

Housing company. The term “housing company” means any limited-profit housing company, limited dividend housing company, redevelopment company or housing development fund company incorporated, pursuant to the private housing finance law and operated exclusively for the benefit of persons or families of low income, or any corporate owner of a dwelling which is or was subject to a mortgage insured or initially insured by the federal government, pursuant to section two hundred thirteen of the national housing act, as amended.

HPD. The term “HPD” means the New York city department of housing preservation and Development.

Initial eligibility date. For rent controlled and rent stabilized units, the term “initial eligibility date” means the first day of the first month after receipt of an application which is subsequently approved by the Department. For 467-c apartments, the term “initial eligibility date” means the last day of the month in which a person became an eligible head of a household in the dwelling unit where such person resides at the time of filing the most recent application for SCRIE or DRIE benefits.

Legal regulated rent. The term “legal regulated rent” means the amount in rent that a landlord can charge a tenant for a rent stabilized unit.

Major capital improvement increase. The terms “major capital improvement increase” or “MCI” means the amount in additional rent a landlord may collect as a result of a building-wide improvement or installation to a building with rent controlled and/or rent stabilized units for which HCR has granted approval for a rent increase to the legal regulated rents. MCIs increases are for building-wide improvements, not for improvements to individual apartments. Major capital improvements effective prior to June 14, 2019 are permanent rent increases. Major capital improvements effective on or after June 14, 2019 are temporary major capital improvements and shall be removed 30 years after effective date.

Maximum collectible rent. The term “maximum collectible rent” means the monthly rent a rent controlled tenant is required to pay.

Maximum rent. For rent controlled apartments, the term “maximum rent” means the maximum legal regulated rent that a landlord may charge for the use of such an apartment pursuant to the rent control law set forth in chapter 3 of title 26 of the administrative code of the city of New York. For 467-c apartments, the term “maximum rent” means the maximum rent, excluding gas and electric utility charges, which has been authorized or approved by the HCR or HPD or the legal regulated rent established for the dwelling unit pursuant to the provisions of either article II, IV, V or XI of the private housing finance law, or the rent established for a cooperatively owned dwelling unit previously regulated pursuant to the provisions of article II, IV, V or XI of the private housing finance law, or the rent established for a dwelling unit, in a dwelling subject to a mortgage insured or initially insured by the federal government pursuant to section 213 of the national housing act, as amended.

Person with a disability. The term “person with a disability” has the following meanings. For rent controlled and rent stabilized apartments, such term means an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act, disability pension or disability compensation benefits provided by the United States Department of Veterans Affairs, or disability pension or disability compensation benefits provided by the United States Postal Service, or an individual who was previously eligible by virtue of receiving disability benefits under the SSI program or the SSDI program and is currently receiving medical assistance benefits based on a determination of disability as provided in section 366 of the social services law. For 467-c apartments for the benefit period ending June 30, 2020, such term means an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act, disability pension or disability compensation benefits provided by the United States Department of Veterans Affairs, or an individual who was previously eligible by virtue of receiving disability benefits under the SSI program or the SSDI program and is currently receiving medical assistance benefits based upon a determination of disability as provided by section 366 of the social services law. For 467-c apartments for the benefit period commencing June 30, 2020, such term means an individual who is currently receiving social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal social security act, disability pension or disability

compensation benefits provided by the United States Department of Veterans Affairs, or an individual who was previously eligible by virtue of receiving disability benefits under the SSI program or the SSDI program and is currently receiving medical assistance benefits based upon a determination of disability as provided by section 366 of the social services law and whose income for the current income tax year, together with the income of all members of such individual’s household, does not exceed the maximum income at which such individual would be eligible to receive cash supplemental security income benefits under federal law during such tax year.

Rent controlled apartment. The term “rent controlled apartment” means a dwelling unit subject to the rent and rehabilitation law of the city of New York.

Rent increase exemption approval order. The term “rent increase exemption approval order” means an order issued by the Department or HPD to a SCRIE or DRIE beneficiary and the building owner that sets forth the SCRIE or DRIE beneficiary’s benefit period, frozen rent, current rent and the building owner’s monthly tax abatement and benefit period.

Rent stabilized apartment. The term “rent stabilized apartment” means a dwelling unit subject to the emergency tenant protection act of 1974.

Rent guidelines board rent increases. The term “rent guidelines board rent increases” means the annual rent increases promulgated by the New York City Rent Guidelines Board for rent stabilized apartments.

Senior citizen. The term “senior citizen” means a person 62 years of age or older.

Surviving member of the household. The term “surviving member of the household” means a member of the household who continues to live in, an apartment after the head(s) of the household who held a current, valid tax abatement certificate either dies or permanently leaves the household.

SCRIE. The term “SCRIE” means the Senior Citizen Rent Increase Exemption Program.

Tax abatement credit (TAC). The term “tax abatement credit” or “TAC” means the credit against real estate taxes that building owners receive in lieu of rent increases. The calculation for such credit for rent controlled units is determined in accordance with subdivision b of section 26-406 of the administrative code of the city of New York. The calculation for such credit for rent stabilized units is determined in accordance with subdivision c of section 26-509 of the administrative code of the city of New York. The calculation for such credit for section 467-c apartments is determined in accordance with subdivisions 3, 4 and 4-a of section 467-c of the real property tax law.

Tenant representative. The term “tenant representative” means a person who is designated to receive notices from the Department in addition to the tenant and assists SCRIE and DRIE applicants in completing SCRIE and DRIE renewal applications in a timely manner.

§ 2. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-02 to read as follows:

§ 52-02 Applications for SCRIE or DRIE Benefits.

All SCRIE and DRIE applications are available on the Department’s website or can be requested by dialing 311 or visiting the Department’s SCRIE/DRIE walk-in center. The list of current tenant and building owner applications are set forth below:

(a) Initial Applications.

If a tenant wishes to apply to receive SCRIE or DRIE benefits, he or she must fully complete and submit to the Department a SCRIE or DRIE initial application. Such application can be submitted at any time as long as the applicant meets all qualification requirements for the program for which they are applying at the time of submission.

(1) Supporting Documentation.

(i) A DRIE initial applicant must provide, together with his or her application, documentary proof that the applicant is at least 18 years of age, a copy of the applicant’s current and most recent prior SCRIE or DRIE rent exemption order and, if applicable, (i) either the current and most recent prior apartment lease(s) signed by both the applicant or the applicant’s designated agent and the building owner or the building owner’s designated representative or documentary proof that the applicant has been granted succession rights to the apartment, and (ii) documentation for all income for all members of the household for the previous calendar year and documentation that they qualify as a person with a disability. The DRIE initial applicant must also provide, if applicable, a copy of any recent MCI order(s) issued by HCR.

(ii) A SCRIE initial applicant must provide together with his or her application documentary proof that the applicant is at least 62 years of age, a copy of the applicant’s current and most recent prior SCRIE or DRIE rent exemption order and the current and most recent prior, if applicable, apartment lease signed by both the applicant or designated agent and the building owner or designated representative

and documentation for all income for all members of the household for the previous calendar year. The SCRIE applicant must also provide, if applicable, a copy of any recent MCI order(s) issued by DHR. Applications and corresponding documents may be submitted by the applicant, tenant representative or agent.

(iii) An initial application for SCRIE or DRIE benefits will not be approved by the Department if the tenant, tenant representative, or agent does not provide a lease or other documentation which proves that the tenant has the right to reside in such apartment, except that the Department will accept a HCR order or court order which proves that the tenant has a right to live in the apartment and such order specifies the rent to be paid.

(iv) A SCRIE or DRIE applicant who submits an initial application to the Department prior to April 1st in any given year may submit income information from two calendar years prior to the application submission date if income information for the previous calendar year is not available.

(2) Signature and designated agents. SCRIE and DRIE initial and renewal applications must be signed by the applicant or his or her designated agent if such agent has either been court appointed or is acting pursuant to a power of attorney. Such application may be submitted by either the applicant or his or her agent or designated tenant representative unless otherwise stated on the initial application. A designation of a tenant representative on an initial application by a tenant will remain in effect until the designation is withdrawn by the applicant or the representative requests that the designation be removed. Any designation of a tenant representative must include the mailing address of such representative.

(3) Effective date. If a tenant initial application for a rent stabilized or rent controlled apartment is approved by the Department, the SCRIE or DRIE order will take effect on the initial eligibility date. If a tenant initial application for a 467-c apartment is approved by the Department, the effective date shall be the date of the first increase in maximum rent becoming effective after the applicant's initial eligibility date.

(4) Denial on the basis of income eligibility. If an initial application is denied for not meeting either the income eligibility requirements set forth in section 52-10 of this chapter or the rent as a percentage of total aggregate household disposable income requirement set forth in section 52-11 of this chapter, the Department will not approve any additional initial applications submitted during the same calendar year. The SCRIE or DRIE applicant, however, may appeal such denial in accordance with the appeal procedures set forth in section 52-19 of this chapter.

(b) Renewal Application. A fully completed application to renew a SCRIE or DRIE order must be submitted by or on behalf of the tenant and approved by the Department. Any tenant that has been issued a tax abatement certificate for five consecutive benefit periods, and who meets the income eligibility requirements set forth in section 52-09 of this chapter, and whose residence has not changed since the most recently approved renewal application, shall be eligible to file the Department's short form renewal application. If such tenant is found eligible, the renewal order will be deemed to have taken effect upon expiration of the prior rent increase exemption order. The tenant may designate a representative to receive notices sent to the tenant and assist in the completion of a renewal application on his or her behalf so that the renewal application is filed in a timely manner as provided in subdivisions (c) and (d) of this section. If a tenant desires to designate a representative, he or she may do so in a renewal application. A designation of a tenant representative submitted to the Department by a tenant will continue until the designation is withdrawn or the representative requests that the designation be removed. Any designation of a representative must include the mailing address of such representative.

(c) Time to File Renewal Applications. Except as provided in subdivision (d) and (e) of this section, renewal applications must be filed no later than six months after the expiration of a rent increase exemption order.

(d) Extension of Time to File Renewal, Other Tenant Applications, Appeals, and Requested Documentation. Under certain circumstances, the time to file the following applications, appeals, and other documentation will be extended:

- (i) a renewal application provided in subdivision (c) of this section;
- (ii) any other tenant application;
- (iii) an appeal relating to SCRIE or DRIE benefits; or
- (iv) any documentation requested by the Department pursuant to section 52-04 of this chapter. The time to file such applications, appeals, and requested documentation may be extended under the following circumstances:

(1) Upon a showing of good cause, the time to file any application, appeals, and requested documentation will be extended for an additional period of six months. The tenant or his or her representative must submit sufficient documentary evidence acceptable to the Department demonstrating good cause. Upon approval of the extension

of the time to file and of the renewal application, such rent increase exemption order will be renewed retroactive to the date of expiration of the prior rent increase exemption. For purposes of this paragraph, good cause exists when:

(i) the tenant requires hospitalization for a documented illness or medical condition during the six-month period following expiration of the rent increase exemption order, which prevents the tenant from filing a timely renewal application; or

(ii) the tenant's dwelling unit is damaged by fire or flood or a natural catastrophe during the six-month period following expiration of the rent increase exemption order, which prevents the tenant from filing a timely renewal application; or

(iii) the tenant demonstrates other exceptional circumstances.

(2) Upon a showing of need for more time as a reasonable accommodation for a tenant's disability consistent with the requirements of the Americans with Disability Act (42 U.S.C §12101 et seq.) (ADA) or the New York City Human Rights Law (§8-101 et seq. of the Administrative Code of the City of New York (NYCHRL), the time to file any application, appeals, and requested documentation will be extended for an additional period of time to be determined by the agency, which may exceed six months if the agency determines more time would be a reasonable modification of its procedure necessary to avoid discrimination on the basis of disability. To obtain an extension of time as a reasonable accommodation, the tenant or a representative of the tenant must provide or assist with the provision of medical documentation from an appropriate health care professional showing that the tenant had a disability as defined by the ADA or the NYCHRL, and that because of this disability the tenant needed more time to file an application or appeal. For purposes of this paragraph, appropriate health care professionals include, but are not limited to, doctors (including psychiatrists), psychologists and licensed health professionals. If the tenant cannot secure medical documentation from an appropriate health care professional with reasonable efforts, an extension of time may be granted if other reliable documentation is provided as may be determined by the Department.

(e) Extension of rent increase exemption order when there is a showing of good cause or need for disability related reasonable accommodation. If a tenant is granted an extension of time to file pursuant to subdivision (d) of this section, the tenant or the tenant's representative must file a renewal application and all supporting documents for the period commencing on the expiration of the prior rent increase exemption order as well as for any succeeding renewal period which commenced prior to the date such extension of time to file was granted within the time period of the extension. Upon approval of the extension of time to file and of the renewal application where seeking additional time to file a renewal application or other application, such rent increase exemption order will be renewed retroactive to the date of expiration of the prior rent increase exemption.

(f) Apartment lease renewal documentation. The tenant in a rent stabilized apartment or an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op, is required to submit a copy of a written lease signed by both parties, except as set forth in this subdivision, which proves that the tenant has the right to reside in such apartment. A copy of a written lease signed by both parties must be submitted for renewal applications; provided that if a tenant cannot provide a lease signed by both parties, such tenant may instead provide a lease signed by the tenant and other evidence of the rent amount. All correspondence from the Department concerning an application will be sent to both the tenant and, if applicable, the tenant's representative or agent.

(g) Renewal applications without lease renewal documentation. If the tenant is not able to provide a lease for the renewal period, the tenant will be able to satisfy the lease eligibility requirement for a SCRIE or DRIE renewal application if they submit the Department's Certification Without A Renewal Lease form with their SCRIE or DRIE renewal application and explain why he or she is not able to provide a renewal lease. The completed and signed form must be submitted with acceptable proof of tenancy for the apartment.

(1) When a tenant's renewal application without lease renewal documentation form is approved the tenant will continue to receive the same monthly benefit and the building owner will receive the same tax abatement credit for the renewal period. The tenant will be required to pay for any increase in rent for the renewal period until a lease signed by the tenant and other evidence of the rent amount is provided to the Department. If the tenant is subsequently able to provide a copy of a lease signed by the tenant and other evidence of the rent amount during such renewal period, the tenant will receive retroactive monthly benefits so that the tenant will receive the same benefits he or she would have received if such signed lease and rental evidence had been provided in a timely manner. The tax abatement credit due to the building owner for the renewal period will be adjusted.

For example:

The legal regulated rent for an apartment for the previous lease was \$1,000 per month and the frozen monthly rent was \$800. If the legal regulated rent is increased by two percent, the legal regulated monthly rent will be increased to \$1,020. If the tenant is unable to provide a lease signed by the tenant and other evidence of the rent amount to the Department, the tenant will be required to pay the \$20 rent increase and pay a monthly rent of \$820 until such a lease is provided by such tenant. If the tenant is able to provide such signed lease and rental evidence during this renewal period, the monthly frozen rent the tenant will be required to pay will be reduced to \$800 for the entire term of the renewal period and the tenant will receive retroactive benefits of \$20 for each month they paid a monthly rent of \$820.

(2) A Certification Without a Renewal Lease form cannot be utilized for more than two consecutive lease periods.

(3) Tenants living in rent controlled apartments are required to provide a copy of the notice of maximum collectible rent ("MCR") for the prior and current year with his or her initial and renewal applications. If the tenant is not able to provide a new MCR for a renewal application, the Department will continue to utilize the most recently submitted MCR.

(4) A tenant may submit more than one initial application and, if applicable, more than one renewal application each calendar year.

(h) SCRIE or DRIE Apartment Benefit Transfer Application. If a current SCRIE or DRIE beneficiary has moved out of the apartment currently associated with his or her SCRIE or DRIE benefits, such beneficiary may transfer such benefits to a new apartment by submitting a fully completed SCRIE or DRIE apartment benefit transfer application to the Department. The dollar amount of the benefit being transferred from the previous apartment to the new apartment is the amount of the TAC for the previous apartment.

For example:

If the monthly legal regulated rent for the previous apartment is \$800 and the monthly TAC is \$200, the SCRIE or DRIE beneficiary would have paid a frozen rent of \$600 per month. If the rent for the new eligible apartment is \$1,000, the TAC is still \$200 and the SCRIE or DRIE beneficiary would be required to pay a frozen rent of \$800 per month (i.e. \$1,000 minus \$200).

(i) SCRIE or DRIE Redetermination Application. If a current SCRIE or DRIE beneficiary has experienced a permanent decrease, as defined in section 52-15 of this chapter, of 20% or more of his or her total combined household income as compared to the income that was reported in his or her last approved SCRIE or DRIE application, then such beneficiary may submit a fully completed SCRIE or DRIE redetermination application in order to adjust the beneficiary's frozen rent.

(j) SCRIE or DRIE Application for Benefit Takeover. If a current SCRIE or DRIE beneficiary has permanently vacated the household or has died, a remaining or surviving member of the household may assume the SCRIE or DRIE benefit by submitting a fully completed SCRIE or DRIE application for benefit takeover to the Department.

(k) SCRIE to DRIE or DRIE to SCRIE Transfer Application. A current SCRIE or DRIE beneficiary may transfer his or her current SCRIE benefit to a DRIE benefit or current DRIE benefit to a SCRIE benefit by submitting a fully completed SCRIE to DRIE or DRIE to SCRIE transfer application to the Department provided that a tenant may not receive both SCRIE and DRIE benefits simultaneously. Transferring from one benefit to another will not affect the frozen rent.

(l) SCRIE or DRIE Tax Abatement Credit (TAC) Adjustment Application for Tenants. A current SCRIE or DRIE beneficiary may apply for an adjustment to the TAC amount by submitting a fully completed SCRIE or DRIE tax abatement credit adjustment application.

(m) SCRIE and DRIE Application for Appeal. A SCRIE or DRIE tenant or agent may appeal a SCRIE or DRIE determination by submitting a SCRIE and DRIE Application for Appeal.

§ 3. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-03 to read as follows:

§ 52-03 Rent Increase Exemption Orders.(a) Effective Date and Duration.

(1) A rent increase exemption order will be issued to each tenant who applies to the Department and is found to be eligible for SCRIE or DRIE benefits, except that SCRIE benefits for 467-c apartments are administered by the Department of Housing Preservation and Development (HPD) and are not governed by this rule. The effective date of a new rent increase exemption order for rent controlled and rent stabilized apartments is the first day of the first month after receipt of an initial application for SCRIE or DRIE benefits. The tenant's order will set forth the benefit period, tenant's frozen rent, tenant's current rent, building owner's monthly TAC (i.e. SCRIE or

DRIE Credit) and the total number of months the order will be in effect. The building owner's order will set forth the benefit period, tenant's frozen rent, tenant's current rent, owner's monthly TAC, total number of months the order will be in effect and total TAC for benefit period.

(2) A new rent increase exemption order for a rent controlled apartment will be for a term of two years. A new rent increase exemption order for a rent stabilized apartment will be for the duration of the lease in effect on the first day of the first month after receipt of the initial application. The effective date of a new DRIE rent increase exemption order for a 467-c apartment will be the date of the first increase in maximum rent that takes effect after the tenant is first determined to be eligible for DRIE benefits, and will be for a term of one year.

(b) The tenant will be required to pay the building owner the rent set forth in the rent exemption order.

(1) The rent the tenant will be required to pay for a rent stabilized apartment, pursuant to an initial or renewal application, will be the legal regulated rent in effect for the rental period immediately preceding the initial eligibility date, except as set forth herein.

For example:

If a tenant has a legal regulated rent of \$700 as of the initial eligibility date, and the legal regulated rent for the immediately preceding rental period was \$650, the tenant's frozen rent will be \$650.

(2) The rent the tenant will be required to pay for a rent controlled apartment, pursuant to an initial or renewal application, will be the maximum rent in effect as of December 31st of the year preceding the effective date of the initial rent exemption order, except as set forth herein.

(3) The rent the tenant will be required to pay for a 467-c apartment, pursuant to an initial or renewal application, will be the maximum rent in effect on the tenant's initial DRIE eligibility date, except as set forth herein. The tenant will continue to pay the same maximum rent for subsequent DRIE renewals except as set forth in these rules.

(4) The rent the tenant will be required to pay for a rent stabilized apartment may be increased based upon an electrical inclusion adjustment or an increase in dwelling space, services or equipment.

(5) If a rent stabilized apartment is subject to a rent reduction order the amount of the rent reduction shall be subtracted from the rent payable by the tenant specified in the rent exemption order and the TAC amount will remain the same. If the rent reduction order is canceled, the SCRIE or DRIE TAC will be adjusted to reflect the difference between the frozen rent and the legal regulated rent. If a rent reduction order is issued after the initial SCRIE or DRIE approval order the amount of the reduction shall be subtracted from the rent payable by the tenant specified in the rent exemption order and the TAC amount will remain the same.

(c) The rent the tenant will be required to pay for a rent controlled apartment may be adjusted under the following circumstances:

(1) The building owner and the tenant in occupancy voluntarily enter into a valid written lease in good faith with respect to any housing accommodation that provides for an increase in the maximum rent on the basis of specified increased services, furniture, furnishings, or equipment and such increases are approved by HCR.

(2) The building owner and the tenant in occupancy by mutual voluntary written agreement, agree to a substantial increase or decrease in dwelling space or a change in the services, furniture, furnishings or equipment provided in the housing accommodations.

(3) There has been a subletting without written consent from the landlord or an increase in the number of adult occupants who are not members of the immediate family of the tenant and the building owner has not been compensated therefor by adjustment of the maximum rent by lease or order of HCR or pursuant to the state rent act or the federal rent act.

Some charges that result in rent increases are not eligible for SCRIE or DRIE benefits. This includes, but is not limited to rent increases for the following:

- (i) Door attendant
- (ii) Cleaning service
- (iii) Air conditioning
- (iv) Painting
- (v) Garages
- (vi) Parking
- (vii) Storage facility
- (viii) Security deposits
- (ix) New appliances (e.g. stove, refrigerator, etc.)
- (x) Any other increase for an individual apartment improvement, other than a building wide improvement.
- (xi) Vacancy increases
- (xii) Changes in household (i.e. an increase in the number of people living in the apartment).

§ 4. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-04 to read as follows:

§ 52-04 Department Document Requests

The tenant, designated tenant representative or agent must submit all documentation and information requested by the Department pertaining to any application for SCRIE or DRIE benefits within 120 days of the written request by the Department unless the tenant has a good cause reason for a late filing or disability based need for additional time to submit documents as set forth in section 52-02(d). Failure to provide the documentation and/or information requested by the Department will result in the denial of an application.

§ 5. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-05 to read as follows:

§ 52-05 Eligibility Requirements for SCRIE and DRIE Benefits

(a) In order to qualify for SCRIE benefits the applicant must be 62 years of age or older. In order to qualify for DRIE benefits the applicant must be a person with a disability who is 18 years of age or older. In addition, an applicant for SCRIE or DRIE benefits must also meet all eligibility requirements set forth in subdivision (b) of this section. If the applicant does not meet such criteria, the application will be denied.

(b) Eligibility Requirements.

(1) The applicant must reside in an eligible apartment as set forth in section 52-06 of this chapter, provided that an applicant who is temporarily residing in a hospital or rehabilitation facility will be deemed to be residing in an eligible apartment.

(2) The applicant must meet the eligibility requirements for head of the household as defined in this chapter.

(3) The applicant must be named on the lease or rent order or have been granted succession rights to the apartment.

(4) The applicant's apartment must have a maximum rent or legal regulated rent exceeding one-third of the applicant's total aggregate household disposable income, except for SCRIE or DRIE renewals which have been in effect since January 1, 2015 or took effect on or before July 1, 2015.

(5) The applicant's total aggregate household disposable income cannot exceed \$50,000.

§ 6. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-06 to read as follows:

§ 52-06 Eligible Apartment

An "eligible apartment" is a rent controlled or rent stabilized apartment that is eligible for either SCRIE or DRIE benefits. 467-c apartments are eligible apartments for SCRIE or DRIE benefits, provided that applications for SCRIE benefits for 467-c apartments must be submitted to HPD, the agency that administers the SCRIE program for such apartments. Other types of housing are not eligible for SCRIE or DRIE benefits.

§ 7. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-07 to read as follows:

§ 52-07 Head of the Household Benefit Takeover Procedures

(a) If a head of the household has died or permanently vacated the household, a tenant remaining in the eligible apartment will be deemed eligible to become the head of the household if such tenant receives approval from the Department for a benefit takeover as defined in section 52-15 of this chapter.

(b) If a head of the household is either married or a member of a registered domestic partnership at the time of his or her most recently approved initial or renewal application was filed, then such spouse or partner will be deemed to be the new head of the household, when the previous head of the household has either died or permanently vacated the household, if he or she: (i) met the eligibility requirements for SCRIE or DRIE benefits at the time such approved initial or renewal application was submitted to the Department; and (ii) was included in such application as a member of the household.

(1) The head of the household's spouse or registered domestic partner does not need to be named on the lease or rent increase exemption order to be eligible to become the head of household.

(2) Benefit Takeover Applications.

(i) If the current head of the household in the marriage or registered domestic partnership dies or otherwise permanently leaves the apartment then the other spouse or domestic partner residing in the apartment at the time such event occurs, will not be required to submit a benefit takeover application.

(ii) If a head of the household's spouse or registered domestic partner does not meet the requirements set forth in subdivision (b) of this section at the time of the approval of the most recent SCRIE or DRIE application, but he or she meets the SCRIE or DRIE eligibility requirements at the time a head of the household either died or

permanently vacated the household, he or she must submit a benefit takeover application as defined in section 52-14 of this chapter.

(c) If the surviving head of the household has incurred a permanent decrease in aggregate disposable income in an amount that exceeds 20 percent of aggregate household disposable income since the last approved application, it will be necessary for the surviving head of the household to submit a benefit takeover application to the Department for approval in order to request that the rent payable by the surviving head of the household be reduced as set forth in section 52-15 of this chapter. For DRIE applicants residing in an apartment in a building which was subject to a mortgage insured, or initially insured by the federal government pursuant to section 213 of the national housing act, as amended, "head of the household" is limited to that person or his or her spouse who was entitled to possession and occupancy of such apartment at the time of termination of such mortgage. The DRIE benefit for this type of apartment cannot be transferred to any other person except such beneficiary's spouse.

§ 8. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-08 to read as follows:

§ 52-08 Member of the Household

A member of the household includes the head of the household and all persons permanently residing in the apartment except for roomers, boarders, or subtenants. All relatives of the head of the household residing in the apartment are members of the household. Roomers, boarders or subtenants are persons who are non-family members who pay rent to reside in the apartment.

§ 9. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-09 to read as follows:

§ 52-09 Income Eligibility Requirements

(a) Except as provided in section 52-10 of this chapter, the total aggregate disposable income of all members of the household residing in the apartment cannot exceed 50,000 dollars in the calendar year preceding the date of filing of the initial or renewal application with the Department. SCRIE and DRIE applicants who submit initial or renewal applications to the Department during the period January to March may submit income information from two calendar years prior to the application submission date if income information for the previous calendar year is not available. However, if a household member deceases or permanently leaves the apartment prior to the date of filing of such application with the Department, his or her aggregate disposable income will not be included in the calculation of aggregate disposable income.

(b) Total aggregate household disposable income is income from all sources, except as provided herein, for all members of the household after deduction of all income and social security taxes. Medicare taxes are not deductible in determining total aggregate household disposable income. Sources of income include, but are not limited to:

- (1) social security and retirement benefits;
- (2) supplemental security income and additional state payments;
- (3) public assistance cash award benefits;
- (4) interest income;
- (5) dividends;
- (6) net rental income;
- (7) salary and earnings;
- (8) net income from self-employment;
- (9) capital gains;
- (10) annuity or Individual Retirement Account earnings;
- (11) rent payments received from bona fide roomers, boarders or subtenants;
- (12) unemployment benefits;
- (13) income from a pooled income trust as defined in 26 U.S.C. §642.

Anything that is considered to be income by the Internal Revenue Service will be included in total aggregate household disposable income.

Total aggregate household disposable income includes both taxable and tax exempt income.

(c) The following items are not included in total aggregate household disposable income:

- (1) gifts or inheritances;
- (2) payments made to individuals because of their status as victims of Nazi persecution as defined in Victims of Nazi Persecution Act of 1994;
- (3) increases in benefits accorded pursuant to the Social Security Act or a public or private pension paid to any member of the household which increase, in any given year, does not exceed annual average (i.e. December of one year to December of the next year) consumer price index (all items United States city average) ("CPI") for such year which take effect after the date of eligibility of a head of the household receiving benefits hereunder whether received by the head of the household or any other member of the household.

The Department will post information on its website the years in which such increases in social security benefits will not be included in

aggregate disposable income. The annual CPI increases will also be posted on the website. Three examples are set forth below:

Year	Social Security Increase	CPI Increase
2016	0.3%	2.1%
2017	2.0%	2.1%
2018	2.8%	1.9%
2019	1.6%	2.3%

In calendar year 2016 the social security increase in benefits was 0.3%. The CPI increase in calendar year 2016 was 2.1%. Since the increase in social security benefits for calendar year 2016 did not exceed the CPI, the increase in social security benefits for calendar year 2016 will not be included in total aggregate household disposable income.

In calendar year 2017 the social security increase in benefits was 2.0%. The CPI increase in calendar year 2017 was 2.1%. Since the increase in social security benefits for calendar year 2017 did not exceed the CPI, the increase in social security benefits for calendar year 2017 will not be included in total aggregate household disposable income.

In calendar year 2018 the social security increase in benefits was 2.8%. The CPI increase in calendar year 2018 was 1.9%. The increase in social security benefits for calendar year 2018 exceeded the increase in CPI and will be included in total aggregate household disposable income.

In calendar year 2019 the social security increase in benefits was 1.6%. The CPI increase in calendar year 2019 was 2.3%. Since the increase in social security benefits for calendar year 2019 did not exceed the CPI, the increase in social security benefits for calendar year 2019 will not be included in total aggregate household disposable income.

(d) Disbursements from a Supplemental Needs Trust (also known as a Special Needs Trust) can be counted as income depending on what the disbursements are used for.

- (1) Disbursements for food or shelter for a member of the household will be counted as income.
- (2) Disbursements to a third party for items other than food and shelter for a member of the household are not counted as income. Examples of such disbursements are education expenses, cable television bills, computer related expenses, phone bills and recreation and entertainment expenses.

(e) For apartments owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op, if the head of the household has retired on or after the commencement of the taxable period and prior to the date of making an application for a rent increase exemption order/tax abatement certificate, such person's income shall be adjusted by excluding salary or earnings and projecting such person's retirement income over the entire taxable period.

(f) If a person residing in the apartment is a roomer, boarder or subtenant, his or her income is not included in the total aggregate household disposable income. Rent paid by the roomer, boarder or subtenant will be included in the total aggregate household disposable income.

(g) The head of the household must provide documentation for all income for all members of the household for the calendar year preceding the date the initial application or renewal application was filed. If the renewal application is denied because it was not filed timely, the head of the household will be required to submit a new initial application.

Documentary proof for sources of income include, but are not limited to, the following:

- (1) income tax returns, federal and state (if filed);
- (2) Social Security benefit statement or copy of check or direct deposit bank statement indicating amount of Social Security benefits received during applicable year;
- (3) pension/annuity statement;
- (4) W-2 form(s);
- (5) signed letter from roomer, boarder or subtenant stating amount of total monthly rental payments;
- (6) 1099 form(s);
- (7) IRA end of year earnings statement(s), if such earnings statement is not provided the taxable distribution may be utilized;
- (8) public assistance budget statement;
- (9) signed letter from friend(s) or family member(s) stating amount of monetary assistance.

(h) The amount of income taxes to be deducted from the total aggregate household disposable income will be the greater of the total

amount of income taxes withheld or the total amount of income taxes due for the applicable calendar year for all members of the household.

(i) Total Aggregate Household Income will not be reduced due to claimed losses for any category of income, i.e. capital gains, net rental income or for any type of depreciation.

(j) The head of the household must provide documentation acceptable to the Department concerning the total aggregate household disposable income as well as the items not included in total aggregate household disposable income for all members of his or her household.

(k) When the head of the household retires before the commencement of such income tax year and the date of filing the application, the income for such year for such head of the household may be adjusted by excluding salary or earnings and projecting his or her retirement income over the entire period of such year.

§ 10. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-10 to read as follows:

§ 52-10 Rent as a Percentage of Total Aggregate Household Disposable Income Requirement and Total Aggregate Household Disposable Income Limit

(a) For an initial SCRIE or DRIE application, the rent for the apartment must exceed one-third of the total aggregate household disposable income of all members of the household to be eligible for benefits. For renewal applications, redetermination applications and apartment benefit transfer applications, if the rent set forth in the rent exemption order does not exceed one third of the total aggregate household disposable income of all members of the household, the rent the head of the household will be required to pay will be increased to one-third of the total aggregate household disposable income of all members of the household for those whose benefits are effective as of July 2, 2015 or later. However, this one-third of the total aggregate disposable income of all members of the household eligibility requirement does not apply to a head of the household to whom a rent exemption order took effect on or before July 1, 2015.

(b) For renewal applications for the period commencing immediately after the expiration of a rent increase exemption order where it is determined that the head of the household is ineligible for a rent increase exemption order because the total aggregate household income exceeds \$50,000 or because the maximum rent or legal regulated rent does not exceed one-third of the total aggregate household disposable income, such head of the household may submit a new application during the following calendar year and if such head of the household receives a rent increase exemption order that commences during such calendar year, the frozen rent amount and tax abatement amount for such order shall be calculated as if such prior rent increase exemption order had not expired. However, the frozen rent amount may be adjusted higher or lower to maintain the one-third ratio based upon the renewal total aggregate disposable income. However, no rent increase exemption benefits or tax abatement benefits will be provided for the period of ineligibility. No head of the household may receive more than three such rent increase exemption orders in accordance with this subdivision.

§ 11. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-11 to read as follows:

§ 52-11 Treatment of Major Capital Improvements ("MCI")

Tenants who receive SCRIE or DRIE benefits will not be required to pay for an MCI which is issued by HCR either after or no more than 90 days before the date of the Department's receipt of an application. The tax abatement credit for a building owner for an eligible MCI increase will be retroactive to the effective date of the MCI order. If applicable, it will include any collectible portion of such increase which covers a period prior to the effective date of the SCRIE or DRIE rent exemption order. If an MCI is issued more than 90 days prior to the date of the Department's receipt of an application, the tenant will be required to pay for the MCI increase and it will not be included in the tax abatement credit for the building owner.

§ 12. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-12 to read as follows:

§ 52-12 Preferential Rent

(a) A preferential rent, which is lower than the legal regulated rent, will be established as the frozen rent except as set forth in subdivision (c) of this section. The tax abatement credit for such preferential rents will be the difference between the frozen preferential rent and the current preferential rent.

(b) A preferential rent, which is lower than the legal regulated rent, will be established as the frozen rent if the tenant lives in a low income housing tax credit apartment in a low income tax credit building, pursuant to section 42 of the Internal Revenue Code.

(c) A preferential rent, which is lower than the legal regulated rent, may not be the frozen rent for buildings subject to paragraph 14 of subdivision c of section 26-511 of the administrative code of the city of New York.

§ 13. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-13 to read as follows:

§ 52-13 Capital Assessments and Voluntary Capital Contributions for Certain DRIE Beneficiaries

(a) Capital Assessments.

(1) A DRIE beneficiary who resides in a 467-c apartment has an exemption from an increase in maximum rent attributable to a capital assessment or voluntary capital contribution.

(2) A DRIE beneficiary is responsible for paying gas and electric charges if his or her apartment is a 467-c apartment.

(3) A DRIE beneficiary is responsible for paying increases in capital assessments or voluntary capital contributions if he or she resides in an apartment in a building which is or was subject to a mortgage insured or initially insured by the federal government pursuant to section 213 of the National Housing Act.

(b) Transfer of Shares. If A person receiving DRIE benefits who resides in a 467-c apartment later transfers his or her shares in such housing company he or she is required to pay over to such housing company, or such housing company shall be entitled to deduct from the amount to be paid to such person for the sale of such shares, all amounts covered by such rent increase exemption order/tax abatement certificate which are attributable to such capital assessment or voluntary capital contribution. Such housing company shall not approve the transfer of shares unless it has received the payment required by the preceding sentence or made the authorized deduction. Such housing company shall remit such amount to the commissioner of finance within 90 days of the collection thereof. Payments due to the city in accordance with this section shall be deemed a tax lien and may be enforced in any manner authorized for the collection of delinquent taxes on real property. Notification and documentation of any transfer of shares by an eligible head of household who has received a DRIE subsidy under this chapter shall be provided in writing to the Department by the affected housing company immediately upon the closing date of such transfer except in cases involving a succession of rights claim, in which case, notification shall be made in writing within 5 days of approval of the succession claim. The housing company shall be entitled to deduct from the amount to be paid to the head of household for the sale of such shares all amounts previously covered by a DRIE subsidy which are attributable to a capital assessment or voluntary capital contribution. Where there is a transfer of shares through succession rights and where the successor is not entitled to a DRIE subsidy under this chapter, the affected housing company shall be entitled to receive a payment from the successor in an amount equal to all DRIE subsidies attributable to a capital assessment or voluntary capital contribution.

(c) DRIE Subsidy Notice. A housing company which imposes a capital assessment or voluntary capital contribution shall provide notice to all persons affected by such capital assessment or voluntary capital contribution of the potential availability of a DRIE subsidy pursuant to these rules. Such notice shall be included in the notice to such person of the imposition of such capital assessment or capital contribution.

§ 14. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-14 to read as follows:

§ 52-14 Benefit Takeover

(a) A surviving member of the household, who has not already been determined to be an eligible head of the household as described in section 52-07 of this chapter will be required to submit a benefit takeover application if a head of the household who holds a current valid rent exemption order dies or permanently leaves a household, in order to transfer SCRIE or DRIE benefits into the name of such surviving head of the household. Such benefits will continue on an uninterrupted basis if the surviving member of the household applying for a benefit takeover meets all of the requirements, set forth below, on the date a head of the household either died or permanently vacated the household. A surviving member of the household will not need to submit a benefit takeover application to continue to receive SCRIE or DRIE benefits on an uninterrupted basis if they have already been determined to be a head of the household in accordance with the requirements set forth in section 52-07 of this chapter.

(1) The surviving member of the household who is eligible for SCRIE or DRIE benefits or his or her representative must submit an application for benefit takeover, unless determined to be a head of the household pursuant to section 52-07 of this chapter, to the Department within 6 months of the death or permanent departure from the home of the head of the household or within 90 days from the date of the notice from the Department concerning the head of the household's death, whichever is later. Such notice shall include an explanation of the process to transfer the exemption to a surviving eligible member of the household and the time period to do so, accompanied by the form which must be completed and submitted to transfer the exemption. The deadline for submission will be extended upon a showing of good cause or need for more time as a reasonable accommodation for a tenant's disability as defined in section 52-02 of this chapter.

(2) If the surviving member of the household was not listed as a household member and moved into the apartment after the most recent Department SCRIE or DRIE benefits approval, such member of the household may submit an application for SCRIE or DRIE benefits if inclusion of their income in the total aggregate household income meets the income eligibility requirements.

(b) A surviving member of the household that wishes to assume the SCRIE or DRIE benefits of a head of the household who has died or permanently vacated the household must meet the following criteria. Such member must:

(1) be named on the lease or rent order or provide written proof that he or she resides in the apartment;

(2) be at least 18 years old for DRIE and 62 years old for SCRIE benefits;

(3) meet the eligibility requirements for SCRIE or DRIE benefits;

(4) have a combined aggregate disposable income less than or equal to 50,000 dollars for all members of the household for the income tax year immediately preceding the date of submitting the benefits takeover application to the Department, beginning July 1, 2014;

(5) provide documentary evidence acceptable to the Department that a head of the household to whom a rent exemption order is currently in effect has died or has permanently vacated the household. Such documentary evidence will include, but is not limited to the following:

(i) A death certificate for such head of the household.

(ii) A letter from nursing home stating that such head of the household has permanently vacated the household and is a resident of the nursing home.

(iii) A court order showing that such head of the household has permanently vacated the household due to legal separation, a divorce decree or an order of protection.

(iv) An affidavit or notarized letter from either the surviving member of the household or the former head of the household attesting to the fact that such head of the household has permanently vacated the household along with documented evidence of residency for his or her new dwelling. Such documentary evidence will include, but not be limited to: written signed lease for new dwelling, New York State or New York City identification card or utility bill.

(v) A letter from the landlord stating that such head of the household has died or permanently vacated the household.

(vi) If the documentary evidence set forth in subparagraphs (i) through (v) of this paragraph cannot be provided, a head of the household will be considered to have permanently vacated the household if such head of the household has vacated the household on an uninterrupted basis for a period of two years.

(b) If a benefit takeover application is approved, the new head of the household will continue to pay the same frozen rent and will receive a rent exemption order for the remainder of the tax abatement approval period except as otherwise provided by these rules. If a benefit takeover application is denied, the rent exemption order and corresponding TAC will be canceled as of the first day of the month following the date the former head of the household either died or permanently vacated the household and the tenant will be required to pay the rent that would have otherwise been in effect in the absence of such rent exemption order.

(c) A benefit takeover applicant must indicate on the application if he or she wants to request that the frozen rent be adjusted because a head of the household has died or permanently vacated the household as required by section 52-15 of this chapter.

§ 15. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-15 to read as follows:

§ 52-15 Rent Redetermination

If a SCRIE or DRIE beneficiary has had a permanent decrease in his or her income, such beneficiary may apply to the Department for rent redetermination.

(a) In order for a decrease in income to be considered a permanent decrease in income, the head of the household or his or her representative must submit documentary evidence acceptable to the Department.

(1) The following events constitute a permanent decrease in income:

(i) a member of the household has died;

(ii) a member of the household has permanently moved to a nursing home;

(iii) a member of the household has permanently retired or has a permanent disability;

(iv) a member of the household is no longer receiving social security disability income benefits.

(2) Such documentary evidence shall include, but not be limited to, a long term lease or letter of employment for the member of the household that has permanently vacated. A letter stating that a member of the household has permanently vacated the household will not be sufficient documentary proof. Any decrease of income from a roomer, boarder or subtenant will not be eligible for consideration as a permanent decrease in income. The loss of a job for a member of the household will in itself not constitute a permanent decrease of income.

(b) Applications cannot be submitted for rent redeterminations during the first twelve months the head of the household is receiving benefits except when a remaining member of the household is determined to be a head of the household pursuant to either section 52-07 or 52-14 of this chapter.

(c) If there is a permanent decrease in total aggregate household disposable income in an amount that exceeds 20 percent of such total aggregate household disposable income as represented in the head of the household's last approved SCRIE or DRIE application for a rent exemption order or for renewal thereof, the head of the household or the head of the household's representative must submit a Department rent redetermination application within six months of the date that the tenant sustained a permanent decrease in total aggregate household disposable income. The deadline for submission will be extended upon a showing of good cause or need for more time as a reasonable accommodation for a tenant's disability as defined in section 52-02 of this chapter.

(d) If the permanent decrease in total aggregate household disposable income is a result of a benefit takeover, the tenant or the tenant's representative submitting the benefit takeover application will also have to complete the redetermination section of the benefit takeover application and provide required household disposable income documentation in order to have the rent he or she is required to pay redetermined by the Department.

(e) Upon approval of a Department redetermination application, the rent will be redetermined so as to reestablish the ratio of adjusted rent to total aggregate household disposable income which existed at the time of such head of the household's last approved application, initial or renewal, except that in no event shall the amount of adjusted rent be redetermined to be less than one third of disposable income except:

(1) if the head of the household does not receive a monthly allowance for shelter pursuant to the social services law and has been granted a rent exemption order that takes effect on or before July 1, 2015; or

(2) in the case of a head of the household who receives a monthly allowance for shelter pursuant to such law, less than the maximum allowance for shelter which such head of the household is entitled to, pursuant to the social services law.

Example:

Total aggregate household monthly income was \$2,000. One of the members of the household dies and the total aggregate monthly income is now \$1,200. The frozen rent the tenant was required to pay was \$800. The new frozen rent is \$480. The calculation is as follows:

Old income: (\$2,000) minus new income (\$1,200) = change in income (\$800)
Percentage of reduction in income: $\$800/\$2000 = 40\%$

The equivalent corresponding 40% reduction in rent is calculated as follow:

Old rent (\$800) times 40% = (\$320)
New Reduced Rent (\$800 - 40% rent reduction (\$320) = \$480

For rent controlled or rent stabilized apartments, a decrease in total aggregate household disposable income shall not include any decrease in such income resulting from the manner in which such income is calculated pursuant to amendment to the definition of income in real property tax law section 467-b. For 467-c apartments, a decrease in total aggregate household disposable income shall not include any decrease in such income resulting from the manner in which such income is calculated pursuant to amendment to the definition of income in real property tax law section 467-c.

§ 16. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-16 to read as follows:

§ 52-16 Reclassification of an Apartment

(a) If a DRIE order is in effect, the benefits will continue to be in effect on an uninterrupted basis if the apartment is reclassified as set forth below:

- (1) From rent controlled to rent stabilized;
- (2) From rent stabilized to rent controlled;
- (3) From rent stabilized to an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op;
- (4) From an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company

incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op to rent stabilized.

(b) If a SCRIE order is in effect, the benefits will continue to be in effect on an uninterrupted basis if the apartment is reclassified as set forth below:

- (1) from rent controlled to rent stabilized;
- (2) from rent stabilized to rent controlled.

(c) If an apartment is reclassified from rent controlled or rent stabilized to an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op, it will be necessary for the tenant to contact HPD. SCRIE benefits for apartments owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op are administered by HPD.

(d) If an apartment is reclassified from an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op, to rent controlled or rent stabilized, it will be necessary for the tenant to submit the current SCRIE rent exemption order issued by HPD to the Department and request that a new SCRIE rent exemption order be issued.

(e) If a SCRIE or DRIE order is in effect, the benefits will be terminated if an apartment is reclassified so that it no longer meets the definition of an eligible apartment as set forth in section 52-06 of this chapter.

§ 17. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-17 to read as follows:

§ 52-17 Move or Transfer (Portability) to New Apartment

(a) If a DRIE beneficiary moves from one eligible apartment to another eligible apartment, whether the new apartment is in the same building or in a different building, and the tenant otherwise remains eligible for DRIE benefits, such beneficiary's DRIE order can be continued for the new apartment without interruption but the tenant must submit an Apartment Benefit Transfer Application for approval by the Department. Provided that the rent that the tenant will be required to pay may change. The DRIE TAC will be the least of the following:

- (1) the difference between the monthly frozen rent set forth in the current rent exemption order for the old apartment and the monthly legal regulated rent for the new apartment (this amount cannot be less than zero);
- (2) the monthly TAC for the old apartment; or
- (3) the difference between one-third of the monthly total aggregate household disposable income and the new monthly rent in the new apartment.

(b) If a SCRIE beneficiary moves from a rent controlled apartment to a rent stabilized apartment or from a rent stabilized apartment to a rent controlled apartment, whether the new apartment is in the same building or in a different building, and the tenant otherwise remains eligible for SCRIE benefits, such beneficiary's SCRIE order can be continued for the new apartment without interruption. Provided that the rent that the tenant will be required to pay may change.

(1) The SCRIE TAC will be the least of the following:

- (i) the difference between the monthly frozen rent amount set forth in the current rent exemption order for the old apartment and the monthly legal regulated rent in the new apartment (this amount cannot be less than zero).
- (ii) the monthly tax abatement credit for the old apartment.
- (iii) the difference between one-third of the monthly total aggregate household disposable income and the new monthly legal regulated rent in the new apartment.

This calculation method will not be utilized for SCRIE or DRIE renewals which have been in effect since January 1, 2016 or took effect on or before July 1, 2015.

For example:

The frozen rent the tenant is required to pay pursuant to the rent exemption order is \$550. The legal regulated rent for the old apartment is \$650. The legal regulated rent for the tenant's new apartment is \$750. The tenant's annual total aggregate household disposable income is \$18,000 (\$1,500 per month).

The TAC for the new apartment will be the lowest of the three calculations set forth below:

- (i) \$200 (\$750 (legal regulated rent for the new apartment)) minus (\$550 (frozen rent for the old apartment)).
- (ii) \$100 (\$650 (legal regulated rent for the old apartment)) minus

(\$550 (frozen rent for the old apartment)).
 (iii) \$250 (\$750 (legal regulated rent for new apartment)) minus (\$500 (1/3 of monthly income)).

In the above example, the TAC for the new apartment will be \$100. This is the lesser of the three calculated tax abatement credits for the old and new apartment. The tenant will be required to pay a frozen rent of \$650 for the new apartment.

The same formula is utilized to determine the frozen rent increase the tenant will be required to pay for his or her new apartment. For example:

The rent the tenant is required to pay pursuant to the rent exemption order is \$700. The legal regulated rent for the old apartment is \$750. The legal regulated rent for the tenant's new apartment is \$650. The tenant's annual total aggregate household disposable income is \$18,000 (\$1,500 per month).

- (i) \$0 (\$650 (legal regulated rent for the new apartment) minus (\$700 (frozen rent for the old apartment))
- (ii) \$50 (\$750 (legal regulated rent for the old apartment) minus (\$700 (frozen rent for the old apartment))
- (iii) \$250 (\$750 (legal regulated rent for new apartment) minus (\$500 (1/3 of \$1,500 monthly income)).

The lowest increase amount is \$0. The frozen rent the tenant will be required to pay pursuant to the amended rent exemption order, therefore, is \$650.

(2) If a SCRIE beneficiary moves from a 467-c apartment it will be necessary for the tenant to submit a SCRIE Apartment Benefit Transfer application to the Department since the SCRIE tenant's benefits are administered by HPD. The tenant must include in the application a copy of the SCRIE order issued by HPD.

(3) If a SCRIE beneficiary moves from a rent controlled or rent stabilized apartment to an apartment owned by a limited dividend housing company, redevelopment company or housing development fund company incorporated under the private finance housing law, section 213 Cooperative Housing Companies or a Mitchell Lama apartment or co-op, it will be necessary for the tenant to contact HPD and comply with their apartment portability procedures.

(c) The portability application must be submitted within 120 days from the date the tenant moved into the new apartment. The deadline for submission will be extended upon a showing of good cause or for need for more time as a reasonable accommodation for a tenant's disability as defined in section 52-02 of this chapter.

§ 18. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-18 to read as follows:

§ 52-18 Electrical Metering Conversion

(a) The cost of electricity for a current SCRIE or DRIE beneficiary's rent stabilized or rent controlled apartment is included in the frozen rent and may not be adjusted due to a change from master metering to individual metering of electricity.

(b) If a tenant is already receiving SCRIE or DRIE benefits when a SCRIE or DRIE beneficiary's building experiences a conversion from master metering of electricity to individual metering of electricity (also known as direct metering or sub-metering) and subsequently vacates the rent stabilized or rent controlled apartment associated with his or her benefits, then such building's owner is required to reduce the legal rent/maximum rent according to the rent reduction schedule in effect at the time of the vacancy. The new tenant is responsible for his or her legal rent as reduced, including any applicable major capital improvement rent increase based upon the cost of work done to effectuate the electrical conversion and their electric bill.

(c) If a tenant's SCRIE or DRIE benefits cease and the building's owner subsequently converts such tenant's apartment from master metering to individual metering of electricity (also known as direct metering or sub-metering), such owner may reduce the rent in accordance with the schedule of rent reductions and such tenant is responsible for his or her reduced legal rent and electric bills.

(d) If the tenant's SCRIE or DRIE benefits are reinstated, the building owner is required to eliminate the rent reduction and resume responsibility for the tenant's electricity costs.

§ 19. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-19 to read as follows:

§ 52-19 Appeal Process

The tenant has the right to appeal a SCRIE or DRIE determination rendered by the Department, such determination will stand until and unless it is reversed on appeal. An appeal must be submitted on the Department's form no later than 120 days after the date on the Department's determination letter except that the time period to submit an appeal may be extended for a tenant, upon a showing of good cause or a need for more time as a reasonable accommodation for a tenant's disability as defined in section 52-02 of this chapter. A tenant cannot appeal the same determination more than once. The

final determination of the Department is also reviewable under Article 78 of the New York Civil Practice Law and Rules.

§ 20. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-20 to read as follows:

§ 52-20 Tenant's Ineligibility for SCRIE or DRIE Benefits

(a) If it is determined that a tax abatement credit has been issued to the building owner's property after the date the head of the household is no longer eligible for SCRIE or DRIE benefits, the Department will reinstate property tax charges against the building owner from the first day of the first month following such determination.

(b) The Department must notify a tenant in writing if his or her SCRIE or DRIE benefits are terminated and provide the reason for such termination. Such tenant may appeal such termination in accordance with the procedures set forth in section 52-19 of this chapter.

§ 21. Chapter 52 of title 19 of the rules of the city of New York is amended by adding a new section 52-21 to read as follows:

§ 52-21 Tax Abatement Credit Adjustment Application

A building owner or his or her designated representative may submit a tax abatement credit adjustment application if he or she has updated FCA or MCR documentation or if such owner wants to apply for an adjustment to the SCRIE or DRIE recipients TAC amount due to an MCI increase, J-51 tax abatement reduction or a rent discrepancy.

An innocent subsequent purchaser of a building or his or her designated representative may also submit an application if the TAC for the building was reduced after such purchase for a time period prior to such purchaser's acquisition of the building and the purchaser was unaware that an adjustment was appropriate. The TAC amount will be adjusted if such application is approved by the Department.

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: Amendments to SCRIE and DRIE rules

REFERENCE NUMBER: 2019 RG 036

RULEMAKING AGENCY: Department of Finance

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: 3/3/2020

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: Amendment of SCRIE and DRIE Rules

REFERENCE NUMBER: DOF-44

RULEMAKING AGENCY: Department of Finance

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and

(iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

Francisco Navarro
Mayor's Office of Operations

March 3, 2020
Date

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SPECIAL MATERIALS

HOUSING PRESERVATION AND DEVELOPMENT

NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: September 15, 2020
To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	274 West 132 nd Street, Manhattan	22/2020	August 18, 2017 to Present
	1938 Webster Avenue, Bronx	23/2020	August 18, 2017 to Present
	139 Lefferts Place, Brooklyn	30/2020	August 20, 2017 to Present
	44 Fort Greene Place, Brooklyn	31/2020	August 20, 2017 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038**, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: September 15, 2020
Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta
	274 West 132 nd Street, Manhattan	22/2020	August 18, 2017 to Present
	1938 Webster Avenue, Bronx	23/2020	August 18, 2017 to Present
	139 Lefferts Place, Brooklyn	30/2020	August 20, 2017 to Present

44 Fort Greene Place, 31/2020 August 20, 2017 to Present
Brooklyn

Autoridad: SRO, Código Administrativo §27-2093

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causar, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

s15-23

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: September 15, 2020
To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	432 West 31 st Street, Manhattan	32/2020	June 21, 2004 to Present

Authority: Special Hudson Yards District, Zoning Resolution §93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD, at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: September 15, 2020
Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Propiedad:	Dirección:	Solicitud #:	Período de consulta
	432 West 31 st Street, Manhattan	32/2020	June 21, 2004 to Present

Autoridad: Special Hudson Yards District, Zoning Resolution Código Administrativo §93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un período de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo período. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

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CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 07/24/20

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin for the period ending 07/24/20.

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EMERGENCY MANAGEMENT

■ NOTICE

NOTICE OF ADOPTION OF FINAL RULE RELATING TO THE EMERGENCY FOOD DELIVERY PROGRAM

NOTICE IS HEREBY GIVEN in accordance with the requirements of Sections 1043 of the New York City Charter and pursuant to the authority vested in the Commissioner of Emergency Management by sections 497 and 1043(a) of the New York City Charter that the Office of Emergency Management adopts the following rule to continue the temporary emergency food delivery program for vulnerable homebound New Yorkers who are impacted by food insecurity during the COVID-19 public health emergency. The Department published a Notice of Opportunity to Comment on the proposed rule in the City Record on July 21, 2020. On August 24, 2020, the Department held a public hearing on the proposed rule.

Statement of Basis and Purpose of Final Rule

The New York City Office of Emergency Management (“OEM”) previously issued a temporary emergency rule establishing an emergency food delivery program for COVID-vulnerable homebound New Yorkers who (1) are impacted by food insecurity during the declared COVID-19 public health emergency and (2) meet certain eligibility criteria. Under the Charter, emergency rules remain in effect for 60 days unless extended by the agency. OEM is now adopting a final rule to continue the program on an ongoing basis.

The emergency food delivery program feeds New Yorkers facing food insecurity during the COVID-19 public health emergency by delivering free meals to program participants. The program is focused on the City’s most vulnerable populations who are homebound, experiencing food insecurity, and facing increased risks associated with exposure to or transmission of COVID-19. Meals are delivered by both vendors and drivers licensed by the Taxi and Limousine Commission.

As the City has conducted the emergency food delivery program since the early weeks of the COVID-19 public emergency, the needs of food insecure New Yorkers have become clearer. The continuing emergency food delivery program, which must be established by final rule in order to continue addressing ongoing food insecurity among New Yorkers, will therefore determine eligibility according to nuanced criteria derived from an improved understanding of the needs of food insecure New Yorkers affected by COVID-19. The eligibility criteria in the final rule have remained largely the same since the emergency rule. However, as the City’s Test & Trace program had not yet been developed at the inception of the original emergency food program, it is necessary to clarify that participants in that program who are directed to stay at home are eligible for emergency food delivery, provided they meet the remaining criteria in this rule. Additionally, the final rule states that the Commissioner of Emergency Management, or the head of any successor agency, may terminate the use of TLC-licensed drivers at any time.

In order to receive services under the program, the individual or family must meet all of the following criteria:

1. No member of the household is able to obtain food from outside the home:
 - as a result of the COVID-19 public health emergency (e.g. the individual is in quarantine or otherwise restricted to their home as a result of a City or State emergency order or government agency instruction adopted in response to the COVID-19 public health emergency); or
 - The individual is directed by the City’s COVID-19 Test & Trace program to stay at home for purposes of minimizing spread of COVID-19; or
 - because the individual is aged 60 or older, a person with a disability, or a person with functional needs that prevent or impede travel outside home to obtain food regularly; and
2. The individual or family lacks neighbors or other family members that can and are willing to regularly obtain food for the individual or family; and
3. The individual or family does not receive meal assistance sufficient to cover all meal needs from existing meal delivery programs (including but not limited to Meals on Wheels and God’s Love We Deliver); and
4. The household is either:

- unable to afford meal delivery or grocery delivery as a result of the COVID-19 Public Health Emergency (e.g., crisis led to job loss or other adverse impact on income); or
- normally relies on public food services (e.g., food pantry, soup kitchen, etc.) that are unavailable to the individual or family due to the COVID-19 public health emergency.

This rule is necessary because food insecurity among a growing number of New Yorkers is an immediate, continuing and significant problem facing the City during the COVID-19 public health crisis. In addition, as businesses lay off workers in response to state and local Emergency Orders and as individuals’ movements and activities remain limited by the necessities of social distancing, the City is seeing an increased number of food insecure New Yorkers. This includes but is not limited to those who would normally rely on services outside the home such as food pantries, soup kitchens, or other free food service programs. Existing programs for the home delivery of food to food insecure individuals, operated by the City or by non-profits such as Meals on Wheels and God’s Love We Deliver, do not have adequate staffing or financial capacity to meet the increased needs of this population during the period of this emergency.

In order to address the urgent challenge of providing adequate food supply to vulnerable, homebound New Yorkers, the City developed the emergency food delivery program.

For food insecure residents who meet the criteria described above, home delivery of meals is the safest and most efficient way to ensure that this population is receiving adequate nutrition. OEM is now repealing the previous emergency rule language and adding a new section 1-01 to its rules to codify this program.

New material is underlined.
[Deleted material is in brackets.]

Section 1. Section 1-01 of Title 72 of the Rules of the City of New York is REPEALED.

§ 2. Title 72 of the Rules of the City of New York is amended by adding a new section 1-01, to read as follows:

§ 1-01. Emergency food delivery. a. An individual or family residing in New York City may request free meals delivered to the home of such individual or family, provided that the individual or family can meet the requirements in paragraphs one through four:

1. No such individual member of the household is able to obtain food from outside the home either:
 - (i) Due to reasons related to the COVID-19 public health emergency, including but not limited to individuals who have been advised by a health care provider to stay at home due to a medical condition or medical treatment, individuals that have been directed by the COVID-19 Test & Trace Corp or New York City Department of Health and Mental Hygiene program staff to isolate or quarantine at home for purposes of minimizing spread of COVID-19 and individuals otherwise covered by a state or local emergency order or government agency instruction that directs the individual to stay home; or
 - (ii) Because the individual is 60 years of age or older, a person with a disability, or a person with functional needs that prevent or impede travel outside home to obtain food regularly; and
2. Such individual or family lacks neighbors or other family members that can and are willing to obtain food for the individual or family; and
3. Such individual or family does not receive sufficient meal assistance from existing meal delivery programs, including but not limited to Meals on Wheels and God’s Love We Deliver; and
4. Such individual or family either:
 - (i) Is unable to afford meal delivery or grocery delivery as a result of economic impacts related to the COVID-19 public health emergency, including but not limited to loss of employment or income; or
 - (ii) Would otherwise rely on public food services, including but not limited to food pantries, soup kitchens and senior centers, that are unavailable or that cannot be accessed by the individual or family due to the COVID-19 public health emergency.

b. Such requests must be made in a form and manner as determined by the Commissioner of Emergency Management or such other person as may be designated to succeed such Commissioner in managing the program provided for in this chapter. Requests for meal delivery pursuant to this section may be made on the City’s website or by calling the City’s 311 call center.

c. Meals delivered under this program may be delivered by drivers licensed by the Taxi and Limousine Commission who have chosen to

participate in this program in vehicles licensed by such Commission, or may be delivered by such other method as determined by the Commissioner of Emergency Management or such other person as may be designated to succeed such Commissioner in managing the program provided for in this section. Drivers licensed by the Taxi and Limousine Commission may apply to participate in this program in a form and manner as determined by the Commissioner of Emergency Management or such other person as may be designated to succeed such Commissioner in managing the program, provided that such Commissioner or other person may, in his or her discretion, suspend or terminate the use of drivers licensed by TLC at any time.

d. Nothing in this section shall be construed as granting any individual or family that meets the eligibility criteria provided in subdivision a of this section a right to receive meal delivery services under this program. In addition to the requirements for eligibility set forth in subdivision a of this section, delivery of meals pursuant to this section is subject to availability of food, drivers, and program resources.

e. The program provided for in this section will terminate at the end of the COVID-19 public health emergency, as determined by Order of the Mayor, or on such other date as determined by the Commissioner of Emergency Management or such other person as may be designated to succeed such Commissioner in managing the program provided for in this section.

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

I hereby find and represent to the Mayor that there is a substantial need for the implementation, immediately upon its final publication in the City Record, of the New York City Office of Emergency Management ("OEM") Rule continuing the temporary emergency food delivery program for vulnerable homebound New Yorkers who are impacted by food insecurity during the COVID-19 declared public emergency and who meet certain eligibility criteria. Under this rule, OEM seeks to continue the program by establishing the program by rule on an ongoing basis. The program is focused on people in the City who are food insecure and affected by COVID-19. As the City has conducted the emergency food delivery program, established this spring by emergency rule in the early weeks of the COVID-19 public emergency, the continuing needs of food insecure New Yorkers have become clear. The continuing emergency food delivery program must be established by permanent rule in order to keep addressing ongoing food insecurity among New Yorkers affected by COVID-19.

If the rule is not brought into effect quickly, there may be a gap in authorization for the emergency food delivery program, since the emergency rule will lapse this month. Therefore, I find that there is a substantial need for bringing this rule into effect immediately upon publication in the City Record.

This declaration is made pursuant to Section 1043(f)(1)(c) of the New York City Charter.

/s/ _____
Deanne Criswell, Commissioner
New York City Office of Emergency Management

APPROVED:

/s/ _____
Bill de Blasio
Mayor

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TRANSPORTATION

■ NOTICE

Notice of Adoption

NOTICE OF ADOPTION relating to Traffic Rules exempting drivers and vehicles delivering free meals to participants in the NYCEM temporary emergency food delivery program from parking and standing rules for a period of up to 20 minutes.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the New York City Department of Transportation (DOT) by Sections 1043 and 2903 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter, that DOT hereby amends Section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York.

This rule was first published on July 21, 2020 and a public hearing was held on August 24, 2020. DOT did not receive written or oral comments from the public.

Statement of Basis and Purpose of Adopted Rule

The Commissioner of the New York City Department of Transportation (DOT) is authorized to issue rules regarding parking and traffic operations in the City pursuant to Section 2903(a) of the New York City Charter.

The New York City Office of Emergency Management (NYCEM) adopted an emergency rule establishing an emergency food delivery program to ensure that certain vulnerable New Yorkers facing food insecurity as a result of the COVID-19 public health emergency have adequate access to food. The program aims to feed New Yorkers facing food insecurity during the COVID-19 health emergency by paying drivers designated by the City to deliver free meals to program participants.

On May 22, 2020 DOT Commissioner Polly Trottenberg and Mayor Bill de Blasio promulgated a rule on an emergency basis amending section 4-08(a) of Title 34 of the Rules of the City of New York so that drivers and vehicles delivering free meals to participants in the emergency food delivery program are exempt from parking and standing rules for a period of up to 20 minutes. The DOT emergency rule was published in the City Record on June 1, 2020.

Section 4-08(a) is now being amended by non-emergency rulemaking to replace the emergency rule. This rule will exempt drivers and vehicles delivering free meals to participants in the emergency food delivery program from parking and standing rules for a period of up to 20 minutes.

New material is underlined.
[Deleted material is in brackets.]

Section 1. Subdivision (a) of section 4-08 of Title 34 of the Rules of the City of New York is amended by adding a new paragraph (11), to read as follows:

(11) Emergency Food Delivery Program. Notwithstanding any other provision of these rules, the operator and owner of a vehicle designated by the City of New York and engaged in delivering free meals to a recipient of food pursuant to the emergency food delivery program established in Title 72 of the Rules of the City of New York shall be exempt from the parking and standing rules of this section while such operator is actually performing a delivery in such program, not to exceed 20 minutes. It shall be an affirmative defense to any summons issued for violation of such rules that the operator of the vehicle to which such summons was issued was engaged in the activity described in this paragraph, upon presentation by such operator of proof of such activity issued by the City of New York, and that such vehicle, at the time of the issuance of such summons, was parked or standing for 20 minutes or less.

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

I hereby find and represent to the Mayor that there is a substantial need for the implementation, immediately upon its final publication in the City Record, of the New York City Department of Transportation ("DOT") rule exempting drivers and vehicles delivering free meals to participants in the City's emergency food delivery program from parking and standing rules for a period of up to 20 minutes. Under this provision, originally promulgated as an emergency rule under section 1043(i) of the New York City Charter at the start of the COVID-19 public health emergency, DOT continues to support the program by establishing the exemption on an ongoing basis.

The emergency food delivery program is focused on the City's residents who are food insecure and affected by COVID-19. Though established this spring by emergency rule of the City's Office of Emergency Management, the program will continue for the foreseeable future. Therefore, the DOT parking exemption must be reissued as a permanent rule. Unless it takes effect immediately upon its final publication in the City Record, this rule will expire and no longer be in effect. Therefore, I find pursuant to section 1043(f)(1)(c) of the New York City Charter that there is a substantial need for its earlier implementation.

/s/ _____
Polly Trottenberg, Commissioner
New York City Department of Transportation

APPROVED:

/s/ _____
Bill de Blasio
Mayor

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