

**CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**

Notice of Adoption

NOTICE IS HEREBY GIVEN that pursuant to authority vested in the Department of Housing Preservation and Development (HPD) by New York City Charter §§1043 and 1802, HPD hereby repeals Chapter 19 of Title 28 of the Rules of the City of New York titled, “Unauthorized Occupant Policy for the Division of Property Management.” This rule was identified as part of a comprehensive rules review initiative undertaken by the NYC Mayor’s Office of Operations, working with the City’s rulemaking agencies, the Law Department, and the Office of Management and Budget. HPD determined, pursuant to New York City Charter section 1043(e), that a public hearing on the proposed repeal of the rule would serve no public purpose. The proposed rule was published in the City Record on January 13, 2017.

Statement of Basis and Purpose of Rule

The unauthorized occupant policy rules for City-owned buildings under HPD’s jurisdiction in Chapter 19 were enacted to regularize the process for evaluating unauthorized tenancies. The policy expired on February 29, 1992, with a final notification process and deadline of May 31, 1992. Any determinations to be made under the policy were completed, and therefore the rules may be repealed. Currently, HPD’s rules in Chapters 21, 24, and 34 apply to tenancies in City-owned buildings under HPD’s jurisdiction. For these reasons, HPD repeals Chapter 19.

This rule was identified as part of a comprehensive rules review initiative undertaken by the NYC Mayor’s Office of Operations, working with the City’s rulemaking agencies, the Law Department, and the Office of Management and Budget. The initiative identified rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 19 of Title 28 of the Rules of the City of New York, relating to unauthorized occupant policy, is hereby REPEALED.