

LOCAL LAW INTRO. NO. -2021

A LOCAL LAW amending Local Law No. 11-2018 relating to applications for prospective purchasers of stock in Cooperative Housing Corporations..

BE IT ENACTED by the County Board of the County of Westchester as follows:

SECTION 1: Section 1 of Local Law 2018-11 is hereby amended to read as follows:

Section 1. Chapter 700 of the Laws of Westchester County is hereby amended to include a new section 700.21-a as follows:

Section 700.21-a. Applications to purchase shares of stock in cooperative housing corporations.

A. The governing board of any Cooperative Housing Corporation, incorporated as such in the State of New York that exercises control over real property located within the County of Westchester, shall provide prospective purchasers with an application to purchase shares of the corporation's stock.

B. Within fifteen days of the receipt of a purchaser's application, such a governing board shall either acknowledge to the prospective purchaser that it is in receipt of a properly completed application or inform the prospective purchaser of any defect in an application. Where the governing board has informed a prospective purchaser of a defect in an application, upon resubmission of the application the governing board shall have fifteen days to either acknowledge to the prospective purchaser that it is in receipt of a properly completed application or inform the prospective purchaser of any uncured defect in the resubmitted application.

C. Within sixty days of its receipt of a properly completed application, such a governing board shall either reject or approve an application to purchase shares of its stock

and shall provide written notice thereof. In the case of a rejection, [a copy of the written notice shall be sent by] the governing board shall provide to the Human Rights Commission notice of the rejection. This notice shall be in a form promulgated by the Executive Director of the Human Rights Commission, and published on the Human Rights Commission website. The form shall, at a minimum, require the following information:

1. the full legal name and address of the Cooperative Housing Corporation;
2. the full address and unit number of the unit that had been applied for;
3. the full names, addresses, telephone numbers, and e-mail addresses (if available) for the denied applicant(s) and seller(s);
4. the full names, addresses, telephone numbers and e-mail addresses (if available) for all legal counsel and real estate brokers involved in the rejected transaction;
5. the date of receipt of the initial application;
6. the date of receipt of the completed application;
7. the date of rejection; and
8. the reason for rejection.

The completed notice of rejection form shall be transmitted to the Human Rights Commission within fifteen days of the notice being provided to the prospective purchaser. The Human Rights Commission shall include instructions on how it may be transmitted to the Human Rights Commission.

D. Compliance or non-compliance with any of the requirements set forth in this section may be considered and received into evidence in any investigation or proceeding commenced pursuant to this Chapter. Furthermore, non-compliance with [the requirement that a copy of the rejection notice be provided to the Human Rights Commission] any of the requirements set forth in this section shall be an independent violation of this Chapter, and

shall be punishable by a fine of \$1,000 for the first offense, \$1,500 for the second offense, and \$2,000 for the third and any subsequent offense. Any such violation shall be brought within one year of the violation, except that any violation initiated by the Executive Director shall be brought within one year of when the Human Rights Commission first learned of the violation.

SECTION 2: Section 2 of Local Law 2018-11 is hereby amended to read as follows:

Section 2. This Local Law shall take effect immediately. [, and shall expire and be deemed repealed three (3) years subsequent thereto].

SECTION 3: This Local Law shall take effect immediately.