

1 and approval by a state or city agency or to a cooperative corporation containing less than 10
2 dwelling units.

3 Proprietary lease. The term “proprietary lease” means the lease or occupancy agreement
4 by which a cooperative corporation permits a person to occupy an apartment in the premises
5 owned by the cooperative corporation.

6 Prospective purchaser. The term “prospective purchaser” means a person who has entered
7 into a contract of sale to purchase the proprietary lease and the ownership interest in a
8 cooperative corporation from a prospective seller.

9 Prospective seller. The term “prospective seller” means a person who has a proprietary
10 lease and an ownership interest in a cooperative corporation and who has entered into a contract
11 of sale to sell the person’s proprietary lease and ownership interest in a cooperative corporation
12 to a prospective purchaser.

13 Sale. The term “sale” means the transfer of a person’s ownership interest in a cooperative
14 corporation and that person’s proprietary lease to another person.

15 § 8-1202 Requirements for determination. a. The board of directors or managing agent of
16 each cooperative corporation shall maintain a standardized application and list of requirements
17 for all cooperative apartments subject to the by-laws or proprietary lease of such corporation.

18 b. The board of directors or managing agent of any cooperative corporation shall provide
19 the corporation’s standardized application and list of requirements to any prospective purchasers
20 and prospective sellers, promptly upon request, and shall include instructions as to where and
21 how to submit the required materials.

22 § 8-1203 Acknowledgement of receipt of materials. a. Within ten days of receiving a
23 materials from a prospective purchaser, a cooperative corporation shall provide to a prospective

1 purchaser a written acknowledgement of materials received. The requirements of this paragraph
2 apply both to a prospective purchaser's initial submission and to any subsequent submissions the
3 prospective purchaser may make.

4 b. An acknowledgement shall not be construed to represent any determination that the
5 materials submitted satisfy the requirements set forth in the written list that a cooperative
6 corporation must maintain pursuant to paragraph a of section 8-1202 of this chapter, or that a
7 subsequent submission has met the requirements set forth in any notice described in section 8-
8 1205 of this section.

9 §8-1204 Time for determination. a. Within 45 days after the cooperative corporation first
10 receives any of the information or documents contained in the list required to be maintained and
11 provided pursuant to section 8-1202 of this chapter, a cooperative corporation shall inform a
12 prospective purchaser whether its consent to a sale is granted unconditionally, whether its
13 consent to a sale is granted conditionally, or whether its consent to a sale is denied.

14 b. Such time for determination may be extended at any time after a completed application
15 is submitted with the consent of the prospective purchaser, provided that such extension shall not
16 exceed fourteen days.

17 c. Where the cooperative corporation board of directors has placed in its bylaws a
18 statement that such board does not ordinarily meet in the months of July and August, such board
19 of directors or managing agent shall be entitled to an extension not to exceed fourteen days,
20 provided that such board of directors notifies a prospective purchaser of such statement with the
21 acknowledgment of receipt of an application.

22 d. In addition to any other remedies provided by this chapter, a prospective purchaser
23 may treat a failure to comply with paragraph a of this section as a denial of consent by the

1 cooperative corporation.

2 § 8-1205 Tolling of time. a. The time period set forth in paragraph a of section 8-1204
3 shall be tolled as follows, provided that such time period may not be tolled more than three
4 times:

5 1. beginning when a prospective purchaser receives written notice from a cooperative
6 corporation that sets out with specificity the ways in which the prospective purchaser's initial
7 submission of materials did not comply with the list of requirements maintained and provided by
8 the cooperative corporation pursuant to section 8-1202 of this chapter, and concluding when the
9 cooperative corporation receives additional materials from the prospective purchaser;

10 2. beginning when a prospective purchaser receives written notice from a cooperative
11 corporation that a submission of the prospective purchaser in response to a notice sent pursuant
12 to paragraph 1 of this section is considered by the cooperative corporation to be incomplete, and
13 concluding when the cooperative corporation receives additional materials from the prospective
14 purchaser.

15 b. Any period described by paragraph 1 or 2 of subdivision a of this section shall not be
16 deemed to commence unless the notice from a cooperative corporation sets forth with specificity
17 the way or ways previously submitted materials failed to comply with either the cooperative
18 corporation's list of requirements maintained and provided by the cooperative corporation
19 pursuant to section 8-1202 of this chapter, or failed to comply with a previous notice sent
20 pursuant to paragraphs 2 or 3 of subdivision a of this section.

21 c. Nothing in this section shall be construed to prohibit a cooperative corporation from
22 lawfully denying its consent to a sale at any time.

23 § 8-1206 Remedies. a. A prospective purchaser or a prospective seller claiming to be

1 aggrieved by a violation of this section may bring a proceeding before the commission on human
2 rights or may commence an action in a court of competent jurisdiction to determine whether a
3 violation has occurred.

4 b. In the event a proceeding is brought before the commission on human rights, the
5 commission shall act in an adjudicative capacity only.

6 c. For each violation of a provision of this chapter the commission or court shall assess
7 statutory damages as follows:

8 1. \$1000 in the event of a violation of subdivision b of section 8-1202 of this chapter or a
9 violation of subdivision a of section 8-1203 of this chapter;

10 2. \$5000 in the event of a violation of subdivision a of section 8-1202 of this chapter; and

11 3. \$10,000 in the event of a violation of subdivision a of section 8-1204 of this chapter.

12 d. Where a cooperative corporation has been found to have violated a provision of this
13 chapter, the commission on human rights or the court shall award compensatory damages and
14 attorney's fees to the prospective purchaser, and may order appropriate equitable relief;
15 provided, however, that such equitable relief shall not be permitted to include an order deeming
16 the cooperative corporation to have consented to the sale.

17 § 8-1207 Construction. Nothing in this chapter shall be construed or interpreted to limit
18 or restrict the rights and remedies granted by any other chapter of this title or by any other civil
19 rights or human rights law.

20 § 2. This local law takes effect 120 days after it becomes law; provided that the
21 commissioner of the commission on human rights may take any actions necessary prior to such
22 effective date for the implementation of this local law including, but not limited to, establishing
23 guidelines and promulgating rules.