

## Frequently Asked Questions

### ▶ How do I file a complaint against an illegal business in a residential neighborhood?

To report an illegal business in a residential neighborhood, you should call 311, the New York City Citizen Service Center, to file a complaint.

### ▶ Why was a notice posted on my door to call for an inspection?

A complaint was filed with the Department of Buildings against your property. When the Department of Buildings inspector visited your property to investigate the validity of the complaint, the inspector could not gain access to the premises. You will have to contact the Department of Buildings to schedule an inspection.

### ▶ I received a Warning of Impending Padlock letter stating there is a complaint against my property of illegal commercial and/or manufacturing uses. What should I do?

Correct the observed illegal conditions and call the Padlock Enforcement Unit for a re-inspection to close the complaint. If you have any questions, contact the Padlock Enforcement Unit for additional information and instructions.

### ▶ Can I operate a business in my home?

Generally, one can operate a business from home if the business does not occupy more than 25% of one's home or apartment (up to 500 square feet) and does not have any employees. For information on exceptions and additional limitations on home occupations, please see the definition of "home occupation" under Section 12-10 of the New York

City Zoning Resolution, which is available on the New York City Department of City Planning website. Visit [www.NYC.gov/dcp](http://www.NYC.gov/dcp) for information, or call (212) 720-3300.

### ▶ Is there assistance in relocating my business?

Yes. If you would like assistance in relocating your business to an appropriate location, contact the New York City Department of Small Business Services. Visit [www.NYC.gov/sbs](http://www.NYC.gov/sbs) for information, or call 311.

### ▶ I received a Notice of Petition and Hearing. What should I do? Where do I go? Do I need a lawyer?

You must appear for your hearing on the date and time indicated on the notice at the Office of Administrative Trials and Hearings (OATH), 40 Rector Street, 6th Floor, New York, NY 10006. An attorney or other authorized representative may represent you, cross-examine witnesses and produce evidence and witnesses in your defense. If you are representing yourself, you may call the assigned Department of Buildings attorney listed on the Notice of Petition and Hearing to discuss the case.

### ▶ Is a padlocked property for sale by the Department of Buildings?

The Department of Buildings does not engage in the purchase or sale of padlocked properties. You must contact the property owner.

### ▶ My property has been padlocked by order of the Commissioner. Can I gain access to the property?

- If you are the owner, occupant or a person able to prove an interest in the property, access may be

obtained for the purposes of correcting the violating conditions or removing items from padlocked premises.

- The applicant must complete and submit a notarized "Request for Access to Premises" (PE-7) form. To request a form, call the Padlock Enforcement Unit at (212) 566-4567, or log on to the Buildings website at [www.NYC.gov/buildings](http://www.NYC.gov/buildings) to obtain an online form.

### ▶ How do I have an Order of Closure removed from my property?

- If you want the Order of Closure against your property rescinded, you must remove all violating uses from the premises and fill out a "Rescission of Order of Closure" (PE-5a) form. To request a form, call the Padlock Enforcement Unit at (212) 566-4567, or log on to the Buildings website at [www.NYC.gov/buildings](http://www.NYC.gov/buildings) to obtain an online form.
- Return the completed and notarized form with your original signature to the Padlock Enforcement Unit of the Department of Buildings. If you need access for correction, see answer above.

### ▶ Whom should I contact to find out the status of a Padlock complaint?

You may contact the Padlock Enforcement Unit at 280 Broadway, 5th Floor, New York, NY 10007, by calling (212) 566-4567.

**This brochure provides general guidelines. If you have specific questions, call the Padlock Enforcement Unit.**

## ✓ Who we are...

The Padlock Enforcement Unit (PEU) enforces Local Law 6 of 1993, which added section 26-127.2 to the New York City Administrative Code. PEU works to remove illegal commercial and manufacturing uses in residential zoning districts that are contrary to the Zoning Resolution and are not permitted by a valid Certificate of Occupancy. The City considers such uses public nuisances.

## ✓ What we do...

When PEU receives a complaint, Buildings staff conducts inspections and researches the legal use. If investigation reveals an illegal commercial or manufacturing use, PEU will notify the owner and occupant of the subject premises. In all cases, PEU works with willing owners and occupants to discontinue the illegal use. However, if the owner and occupant do not voluntarily discontinue the illegal use, PEU will seek a closure recommendation at an administrative hearing before the Office of Administrative Trials and Hearings (OATH). Subsequently, a closure order may be issued, which results in the padlocking and closure of the violating premises until termination of the illegal use. Closure Orders are recorded against the property with the City Register's Office to put prospective buyers on notice of the closure of the premises.



## New York City Department of Buildings

### Executive Offices / 212-566-5000

280 Broadway, 7th Fl., New York, NY 10007

### Manhattan Borough Office / 212-566-0042

280 Broadway, 3rd Fl., New York, NY 10007

### Bronx Borough Office / 718-579-6920

1932 Arthur Avenue, 5th Fl., Bronx, NY 10457

### Brooklyn Borough Office / 718-802-3675

210 Joralemon Street, 8th Fl., Brooklyn, NY 11201

### Queens Borough Office / 718-286-0600

120-55 Queens Boulevard, 1st Fl., Kew Gardens, NY 11424

### Staten Island Borough Office / 718-816-2300

10 Richmond Terrace, Borough Hall, 2nd Fl.,  
Staten Island, NY 10301

### Department of Investigation (DOI) / 212-825-3330

80 Maiden Lane, New York, NY 10038

Call 311 for non-emergency complaints or information about Department of Buildings services.

Use 911 only for life-threatening emergencies.

Visit [www.NYC.gov/buildings](http://www.NYC.gov/buildings) to:

- Register for Buildings News and bulletins
- Access comprehensive information about the Department of Buildings
- Check the status of a filing on the Buildings Information System (BIS)
- Download plan/work approval forms and the New York City Building Code

### Mission

The NYC Department of Buildings ensures the safe and lawful use of buildings and properties by enforcing the Building Code and Zoning Resolution. We facilitate development with integrity, efficiency and professionalism.

Michael R. Bloomberg, MAYOR

Patricia J. Lancaster, FAIA, COMMISSIONER

about

# Padlock Enforcement Unit

