

WHEN AN APARTMENT FAILS INSPECTION

This includes apartments that fail annual, special or quality control inspections.

Owners are required to correct serious violations found by the Inspector within 30 days after the inspection. In order to encourage timely repairs of serious Housing Quality Standards (HQS) violations without suspension of rent subsidy payments to owners, borough offices produce a printed *NE-1 Notice* to owners, using standardized HQS references, on the next working day following the inspection. Owners should receive it within 3-5 days after the inspection. Owners should thereby have a realistic opportunity to complete repairs in time to avoid suspension.

As permitted by HUD, the owner's repairs can be verified by either of two methods: 1) Reinspection or 2) the owner and the tenant certifies to us that the violations listed in the NE-1 have been corrected. The NE-1 contains a certification page, which can be signed by the owner and the tenant and returned to us, or both can sign work orders. The certification or work order can be either faxed or mailed.

If such a certification is received within **26** days after the inspection, it will suffice as evidence that the apartment meets HQS and the owner's subsidy will not be suspended. If the tenant certification is received after suspension, it will suffice for reinstatement of subsidy payments. This provision is designed to encourage owners to promptly complete repairs with the tenant's involvement.

For owners preferring reinspection, the NE-1 will also give the owner advance notice that reinspection is being pre-scheduled for the **25th** day following the inspection. If we receive notice from the owner that repairs are completed, but not through a jointly signed certification, within **20** days after the inspection, the reinspection appointment for the 25th day will be confirmed and carried out. Notices from the landlord will be accepted by fax and mail.

If the borough office does not receive notice from the owner regarding completion of repairs within **20** days after inspection, staff shall cancel the pre-scheduled reinspection for the **25th** day. A cancellation notice will be sent to the tenant. Reinspection as pre-scheduled can proceed when the owner's notice is received 21-25 days after inspection if the slot is still available. If the apartment passes reinspection before the 26th day, no suspension will occur.

If neither reinspection nor tenant certification has been successfully concluded or pending as of **26** days after inspection, (including cases where an apartment fails a reinspection and immediate follow-up is not possible), then NYCHA staff shall take the suspension action on these apartments no later than the 30th day. Payment will stop on the first day of the first month for which payment has not already been generated.

Once an apartment failing inspection has been suspended (regardless of the date when payments stop), tenant certifications will still be acceptable. Reinspections shall be manually scheduled at the discretion of staff, but no later than 14 days from our receipt of the owner's notice that repairs are completed. Staff shall make priority effort to schedule such reinspections as soon as feasible within 14 days.

If the apartment passes reinspection or a tenant certification is received, then the reinstatement process for subsidy payments will commence. If the apartment fails reinspection, suspension continues until another reinspection is completed.

Reinstatement payments will resume retroactive to the date of the reinspection or certification unless the owner reports that the repairs are done earlier. In that case, payment will be retroactive to that earlier date. However, the owner must document all repairs completed more than 30 days before the receipt of the tenant certification or the reinspection date.