

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to add a new section 101-20 to Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York regarding incomplete inspections.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11:00 AM on 9/9/26.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/b4806e7a-7904-4d49-b3b4-cc92f7ec233d@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/b4806e7a-7904-4d49-b3b4-cc92f7ec233d@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

PLEASE NOTE: The above links are used to register for the hearing. Once registered, you will receive a confirmation email that will include a link to join the hearing. If you should run into technical difficulties when using the above links to register or you do not receive the registration confirmation email with your link to join the hearing, please use

one of the following alternative methods to join the hearing. You should receive the confirmation email within a short time of registering. Please check your junk email folder too if you do not see the email in your inbox. Best practice is to register for the hearing prior to the actual hearing date.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 299 387 822 661 825

Passcode: fS9uP63j (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101

Phone Conference ID: 971 109 901#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by 9/2/26 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? Yes, you must submit comments by 9/9/26.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by

email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by 8/26/26.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and section 28-116.3 of the New York City Administrative Code authorize DOB to make this proposed rule. The rule was included in the regulatory agenda for this Fiscal Year.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The Department of Buildings (the Department) is proposing to add a new section 101-20 to Title 1 of the Rules of the City of New York to address incomplete inspections. Specifically, the rule would address situations in which an inspector arrives to perform a scheduled electrical, plumbing or construction inspection but the inspection cannot be completed because the permit holder or licensee is not prepared or willing to assist Department inspectors in conducting the inspection, or cannot provide full access to the permitted work.

Incomplete inspections place heavy burdens on the Department's resources as a result of the time spent by the Department personnel that perform the inspections. When an inspection is incomplete, an inspector will be required to return to the same site on another occasion to complete the inspection. In some cases, inspectors must return to the same site on multiple occasions before the inspection is completed.

For example, between 2021 and May of 2026, there were approximately 44,000 instances in which inspectors arrived to perform electrical inspections but could not complete the inspections because the permit holder or licensee did not attend the scheduled appointment or was not prepared or

willing to assist in the inspection or could not provide full access to the work. This costs the City over \$2 million. During that period, a single company accounted for approximately 1,800 of those missed appointments.

In addition, late cancellations cost the Department approximately several thousand dollars in salary and overhead for the inspector and administrative staff who set up appointments, vehicle fuel costs, etc. As the appointments are scheduled in advance and involve coordination with owners, contractors and our staff, if an appointment is cancelled late, the inspector cannot just move on to another appointment and the time scheduled for that appointment is wasted.

Since the Department does not charge fees for performing these inspections, there is currently no mechanism for the Department to recover the cost of these unnecessary, repeat visits. In addition, these repeat visits lead to increased wait times for other applicants.

Proposed section 101-20 would allow the Department to impose a fee of \$200 for each incomplete inspection to recoup the cost incurred by the Department to attend the inspection appointment.

In addition, this rule would provide that an incomplete inspection may not be rescheduled until the associated fee has been paid, and that extended failure to pay such fees or incurrence of repeated incomplete inspections may result in suspension, revocation or denial of an application to renew a license or registration.

The Department's authority for these rules is found in sections 643 and 1043(a) of the City Charter and section 28-116.3 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Subchapter A of chapter 100 of Title 1 of the Rules of the City of New York is amended to add a new section 101-20 to read as follows:

§101-20 Incomplete inspections.

(a) Applicability. This section applies to registered design professionals, licensees, general contractors, third-party contractors, owners and filing representatives who request an inspection of an electrical, plumbing or construction installation.

(b) Definitions. For purposes of this section, the following terms have the meanings set forth below:

Full Access. The inspector has unobstructed entry to the completed installation and can reach all relevant components, equipment, and equipment rooms required for completion of the inspection.

Incomplete inspection. A scheduled inspection that must be rescheduled because the permit holder or licensee fails to appear, fails to prepare the site, is unfamiliar with the scope of work, or fails to provide full access, documentation, or conditions necessary for the Department to conduct the inspection.

An incomplete inspection includes, but is not limited to, the following circumstances:

- (1) Failure to keep appointment.** The permit holder or licensee is not present at the inspection site at the scheduled inspection time.
 - (2) Incomplete installation.** The installation to be inspected is not sufficiently complete to permit the scheduled inspection to be conducted.
 - (3) Inspection declined.** The permit holder or licensee is observed leaving the site prior to, or at the time of, inspection, or is present on-site but refuses or otherwise declines to proceed with the scheduled inspection.
 - (4) Late cancellation.** A cancellation request is received by the Department fewer than three (3) business days prior to the scheduled appointment.
 - (5) Incomplete access.** The inspector is not given full access.
 - (6) Unprepared site.** The inspector cannot complete the inspection for reasons including lack of required safety measures, absence of necessary documentation, or other specific condition identified by the inspector.
 - (7) Unfamiliar with scope of work.** The permit holder or licensee is not sufficiently familiar with the installation to be inspected to answer the inspector's inquiries or otherwise facilitate the inspection.
- (c) Fee.** The Department will charge a permit holder a fee of two hundred dollars (\$200) for each inspection scheduled by such permit holder that results in an incomplete inspection.
- (d) Rescheduling incomplete inspection.** The permit holder may not reschedule an incomplete inspection until the fee set forth in subdivision (c) of this section has been paid to the Department.
- (e) Disciplinary referral.** The Department may, in its sole discretion, refer a licensee or registered design professional who has incurred repeated incomplete inspections or failed to pay a fee imposed pursuant to subdivision (c) of this section within one (1) calendar year of the incomplete inspection to the appropriate units for further enforcement, including suspension,

revocation or denial of renewal of a license or registration pursuant to §28-401.19(14) or (16) or §28-104.2.1.2 of the Administrative Code.

(f) Challenge process.

- (1) Challenge.** A challenge to a fee imposed for an incomplete inspection pursuant to this section may be made in accordance with this subdivision within 30 days after the imposition of such fee.
- (2) Acceptable proof.** Each challenge submission must be filed electronically through the Department's website. The submission must include a written statement describing the basis of the appeal and attach all supporting documentation, which may include, but is not limited to, time-stamped photographs, video recordings, inspection scheduling records, site access logs, proof of communication with Department staff, or other relevant documentation demonstrating site readiness, attendance, or extenuating circumstances. Appeals submitted without sufficient supporting evidence may be denied.
- (3) Notification of challenge determination.**
 - (i) The decision to dismiss or uphold the fee is at the sole discretion of the Department.
 - (ii) Upon completion of the review, the Department will issue a notice of determination to the challenger.

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Rule Relating to Incomplete Inspections

REFERENCE NUMBER: DOB-210

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

July 22, 2026
Date

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Rule Relating to Incomplete Inspections

REFERENCE NUMBER: 26 RG 004

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: July 22, 2026