

**CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Housing Preservation and Development ("HPD") is proposing amendments to Chapter 12 of Title 28 of the Rules of the City of New York, concerning the installation of natural gas detecting devices in residential buildings. The proposed rules reflect amendments in Local Law 157 of 2016 that repealed Administrative Code sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 and added a new section 27-2045 regarding the requirements for the installation and maintenance of smoke detecting devices, carbon monoxide detecting devices and natural gas detecting devices in Class A multiple dwellings, Class B multiple dwellings and private dwellings.

When and where is the hearing? HPD will hold a public hearing on the proposed rules. The public hearing will take place at **10 AM to 11 AM on July 16, 2025.**

To participate in the public hearing, enter the Webex URL:

<https://nychpd.webex.com/nychpd/j.php?MTID=m9eda7883dd94cdd078eea47b0138c801>

If prompted to provide a password or number, please enter the following:

Meeting number: **2349 077 1714** Password: **JJfUphB4U24**

You may also join via audio device or dial in via phone:

Join by video system: **Dial 23490771714@webex.com**

Dial

You can also dial **173.243.2.68** and enter your meeting number.

To dial in by phone, please use the following dial-in phone number and participant access code:

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Access code: **2349 077 1714**

Password if requested: **JJfUphB4U24**

If you have low bandwidth or inconsistent internet connection, use the dial-in option for the hearing. This will reduce the possibility of dropped audio and stutters.

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

- **Website.** You can submit comments to HPD through the NYC rules website at **<http://rules.cityofnewyork.us>**.

- **Email.** You can email comments to rules@hpd.nyc.gov.
- **Mail.** You can mail comments to Deputy Commissioner AnnMarie Santiago, Department of Housing Preservation and Development, 100 Gold Street, Room 6-01, New York, N.Y. 10038.
- **Fax.** You can fax comments to Deputy Commissioner AnnMarie Santiago at 212 863-7010.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rules at the public hearing must sign up to speak. You can sign up before the hearing by calling 212 863-8340 or by emailing wallaca@hpd.nyc.gov before 5:00 PM on **July 14, 2025**. Although you can indicate during the hearing 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? The deadline for submission of comments is **July 16, 2025**.

What if I need assistance to participate in the hearing? You must tell HPD if you need a reasonable accommodation of a disability at the hearing. You can tell us by mail at the address given above or by email at wallaca@hpd.nyc.gov. You may also tell us by telephone at 212 863-8340. We request advance notice so that we have sufficient time to arrange the accommodation. Please tell us by **July 9, 2025**. This hearing has the following accessibility options available: Simultaneous transcription for people who are deaf or hard of hearing and audio-only access.

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 <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rules will be available to the public at the Office of Legal Affairs, 100 Gold Street, Fifth Floor, New York, N.Y. 10038.

What authorizes HPD to make these rules? Sections 1043 and 1802 of the New York City Charter ("City Charter") and section 9 of Local Law 157 of 2016 authorize HPD to make these proposed rules. These rules were not included in HPD's regulatory agenda for this Fiscal Year because they were not anticipated.

Where can I find HPD's rules? The agency's rules are in Title 28 of the Rules of the City of New York.

What laws govern the rulemaking process? HPD must comply with Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Proposed Rules

Local Law 157 for the year 2016 (“Local Law 157” or “the law”) repealed Administrative Code sections 27-2045, 27-2046, 27-2046.1 and 27-2046.2 and added a new section 27-2045 to require that owners of Class A multiple dwellings, Class B multiple dwellings and certain private dwellings, in addition to the existing requirements of installing one or more smoke detecting devices and carbon monoxide detecting devices, install a natural gas detecting device in each dwelling unit in accordance with applicable sections of the New York City Building Code or the 1968 Building Code. For natural gas detecting devices, section 27-2045(b)(1)(c) provides owners of Class B multiple dwellings with the alternative to install a line-operated zoned natural gas detecting system. In addition, Local Law 157 requires that owners maintain and periodically replace any device installed per the requirements of section 27-2045. The proposed rule amendments reflect these requirements.

Local Law 157 also requires that the Department of Buildings (“DOB”) promulgate a rule that establishes or adopts a standard governing the installation and location of single- or multiple-station alarms responsive to natural gas, which DOB did, effective February 14, 2024. In addition, the law and the proposed rule amendments require that the owner notify tenants about the owner’s requirement to provide, maintain, and replace such devices. They also require that the owner provide at least one adult occupant of each dwelling unit with information regarding the risks of natural gas leaks, the testing and maintenance of natural gas detecting devices, what to do if such devices sound an alert, their useful life, and other important information.

The Department of Housing Preservation and Development (“HPD”) also proposes rule amendments to provide building owners with the option of installing digital signage to fulfill notice requirements regarding smoke detecting devices, carbon monoxide detecting devices, and natural gas detecting devices contained within HPD rules and the Housing Maintenance Code. HPD proposes these amendments, along with additional amendments included in separate rule, because digital signage can be a more efficient means than printed signs for conveying important information to occupants and guests by enabling occupants to view information easily and efficiently.

The proposed rule includes minor plain language edits throughout and contains cross references to sections of Title 28 as amended by another rule, relating to signage requirements for building owners, which HPD is promulgating at the same time as this rule.

HPD’s authority for these rules is found in sections 1043 and 1802 of the New York City Charter, and section 9 of Local Law 157 for the year 2016.

New material is underlined.

[Deleted material is in brackets.]

“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.

Section 1. The title of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

SMOKE DETECTING DEVICES, [AND] CARBON MONOXIDE DETECTING DEVICES AND [SYSTEMS] NATURAL GAS DETECTING DEVICES IN MULTIPLE DWELLINGS AND PRIVATE DWELLINGS

§ 2. Section 12-01 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-01 Owner Responsibilities for Smoke Detecting Devices for Class A Multiple Dwellings. Pursuant to [§27-2045] §27-2045(b)(1)(a) of the Administrative Code of the City of New York, the owner of a Class A multiple dwelling which [is required to] must be equipped with smoke detecting devices pursuant to section 907.2 of the New York City building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code [shall] must:

(a) Provide and install one or more approved and operational smoke detecting devices in each dwelling unit and replace such devices in accordance with article 312 of chapter 3 of title 28 of the administrative code of the city of New York in locations specified in reference standard 17-12 of the 1968 building code or section 907.2.10 of the New York city building code, as applicable.

(b) Post a notice in a form approved by the Commissioner of the Department of Housing Preservation and Development ("HPD" or "the Department") in a common area of the building, readily visible and preferably in the area of the inspection certificate, informing the occupants of such building that the owner is required by law to install one or more approved and operational smoke detecting devices in each dwelling unit in the building and to periodically replace such devices upon the expiration of their useful life in accordance with article 312 of chapter 3 of title 28 of the administrative code of the city of New York, and that each occupant is responsible for the maintenance and repair of such devices and for replacing any or all such devices which are stolen, removed, missing or rendered inoperable during the occupancy of such dwelling unit with a device meeting the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York. In addition, the notice should state that the occupant of a dwelling unit in which a battery-operated smoke detecting device is provided and installed [shall] must reimburse the owner a maximum of [twenty-five dollars] \$25.00, or a maximum of [fifty dollars] \$50.00 where a combined smoke and carbon monoxide detecting device or combined smoke and natural gas detecting device is installed, or \$75.00 where a combined smoke, carbon monoxide and natural gas detecting device is installed, for the cost of providing and installing each such device. The occupant shall have one year from the date of installation to make such reimbursement. A sample of an approved notice is made part of these regulations in 28 RCNY §12-04 and may also be found on HPD's website at www.nyc.gov/HPD.

(c) The notice in §12-01(b) above must:

(1) [shall] have letters not less than three-sixteenths of an inch in height;
(2) [the] have lettering [of the notice shall be] of bold type and [shall] must be properly spaced to provide good legibility and the background [shall] must be of contrasting colors;
(3) [the notice shall] be durable and [shall be] substantially secured to the common area where posted;

(4) [the notice shall] be of metal, plastic, or decal; and

(5) have lighting [shall be] sufficient to make the notice easily legible.

(d) For the notice required by subdivisions (b) and (c) of this section, an owner may, in lieu of such otherwise required notice, [instead choose to] post a single notice that incorporates and complies with subdivisions (b) and (c) of this section as well as the provisions of 28 RCNY §12-

06(b) and 28 RCNY §12-11(b). A sample of an approved single notice, the language of which may be used for compliance with this subdivision, is made part of these regulations in 28 RCNY §12-12.1 and may also be found on HPD's website at www.nyc.gov/HPD. The single notice permitted by this subdivision may be posted digitally if it meets all of the requirements of subdivisions (e), (f) and (g) of this section, except that such digital single notice may not include the notice required under 28 RCNY § 12-11(b), which must be posted in hard copy.

(e) For the notice required by subdivisions (b) and (c) of this section, an owner may, in lieu of installing a physical sign that meets the requirements of subdivision (c) of this section, install a digital sign that otherwise complies with subdivisions (b), (d), (f), and (g) of this section.

(f) A digital sign provided pursuant to subdivision (e) of this section must:

(1) display the title of the digital sign in letters that measure a minimum size of .25 inches at all times;

(2) display the content of the digital sign in letters that measure a minimum size of .25 inches but can be expanded to a larger size;

(3) use lettering of bold type that is properly spaced to provide good legibility on a background of contrasting colors;

(4) be durable and substantially secured to the common area where posted;

(5) have lighting sufficient to make the digital sign easily legible;

(6) operate at all times during which the room or space where the digital sign is located is open and accessible. If the digital sign becomes inoperable, the owner must immediately display physical notices as described in this section until such time as the digital sign is made operable;

(7) display the content as required by this section in a manner that is reasonable for viewing and comprehension, which may be accomplished through the simultaneous display of all required notices with the ability to click to enlarge such notices;

(8) comply with all applicable standards of the Americans With Disabilities Act ("ADA") Standards For Accessible Design; and

(9) display content in English, Spanish, and such other language as the owner deems necessary to adequately provide notice to the occupants.

(g) If an owner installs a digital sign as allowed pursuant to subdivision (e) of this section, such owner must also install a digital sign as described in 28 RCNY § 12-06(c) (notice regarding carbon monoxide alarm requirements), 28 RCNY § 12-09.1(f) (notice regarding natural gas detecting devices), 28 RCNY § 25-101(f) (notice regarding owner's right of access and requirements for notification), 28 RCNY § 25-201(c) (notice regarding collection and disposal of garbage), 28 RCNY § 46-01(b) (notice regarding housing information guide), 28 RCNY § 56-03(c) (notice regarding temperature reporting device), and 28 RCNY § 59-01(c) (notice regarding bedbug infestation).

(h) Replace any smoke detecting device which has been stolen, removed, missing or rendered inoperable during a prior occupancy of the dwelling unit and which has not been replaced by the prior occupant prior to the commencement of a new occupancy of a dwelling unit with a device meeting the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York.

[(f)] (i) Replace within thirty calendar days after the receipt of written notice any such device which becomes inoperable within one year of the installation of such device and through no fault of the occupant of the dwelling unit.

[(g)] (j) Keep the following records, on the premises or in the business office of the managing agent or owner, relating to the installation and maintenance of smoke detecting devices in the building:

(1) date notice posted pursuant to 28 RCNY §12-01(b), 28 RCNY § 12-01(d) or installed pursuant to 28 RCNY § 12-01(e);

(2) the expiration date of [installation of each smoke detecting device and other records showing that the device installed meets the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York, including] the manufacturer's suggested useful life of each device; and

(3) [whether the smoke detecting device receives its primary power from the building wiring or whether it is a battery-operated device;

(4) apartment number and location within apartment where device installed;

(5) records showing that maintenance work performed on each device has met the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York;

(6) date tenant requested replacement/repair.

(7)] records showing that such devices meet the requirements of all applicable laws and rules.

(4) These records must be made available to the Commissioner of the Department of Housing Preservation and Development, the Department of Buildings ("DOB"), the Fire Department ("FDNY"), or the Department of Health and Mental Hygiene ("DOHMH") upon request.

§3. Section 12-02 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-02 Occupant Responsibilities for Smoke Detecting Devices for Class A Multiple Dwellings. Pursuant to [§27-2045(b)] §27-2045(c) of the Administrative Code of the City of New York, it shall be the sole duty of the occupant of each unit in a Class A multiple dwelling in which a smoke detecting device has been provided and installed by the owner pursuant to section 907.2 of the New York city building code or sections 27-978, 27-979, 27-980 and 27-981 of the 1968 building code to:

(a) keep and maintain such device in good repair; and

(b) replace any and all devices which are either stolen, removed, missing or rendered inoperable during the occupancy of such dwelling unit with a device meeting the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York.

Note: Except as provided in §12-01(d) and [(e)] (h) above and article 312 of chapter 3 of title 28 of the administrative code of the city of New York, an owner of a Class A multiple dwelling who has provided and installed a smoke detecting device in a dwelling unit shall not be required to keep and maintain such device in good repair or to replace any such device which is stolen, removed, missing or rendered inoperable during the occupancy of such dwelling unit. In addition, the occupant of a dwelling unit in which a battery-operated smoke detecting device is provided and installed shall reimburse the owner a maximum of [twenty-five dollars] \$25.00, or a maximum of [fifty dollars] \$50.00 where a combined smoke and carbon monoxide detecting [devices] device or a combined smoke and natural gas detecting device is installed, or a maximum of \$75.00 where a combined smoke, carbon monoxide and natural gas detecting device is installed, for the cost of providing and installing each such device. The occupant shall have one year from the date of installation to make such reimbursement.

§4. Section 12-03 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-03 Owner Responsibilities for Smoke Detecting Devices for Class B Multiple Dwellings. Pursuant to [§27-2046] §27-2045(b)(1)(a) of the Administrative Code of the City of New York the owner of a Class B multiple dwelling which [is required to] must be equipped with smoke

detecting devices pursuant to section 907.2 of the New York city building code or sections 27-978, 27-979, 27-980, and 27-981 of the 1968 building code [shall] must:

(a) Provide and install one or more approved and operational smoke detecting devices in each dwelling unit or, in the alternative, provide and install a line-operated zoned smoke detecting system with central office tie-in for all public corridors and public spaces pursuant to rules and regulations promulgated by the Commissioner of the Department of Buildings.

(b) Keep and maintain smoke detecting devices in good repair and replace such devices in accordance with article 312 of chapter 3 of title 28 of the administrative code of the city of New York.

(c) Replace any smoke detecting device which has been stolen, removed, missing or rendered inoperable prior to the commencement of a new occupancy of a dwelling unit in accordance with article 312 of chapter 3 of title 28 of the administrative code of the city of New York.

(d) Keep the following records, on the premises or in the business office of the managing agent or owner, relating to the installation and maintenance of smoke detecting devices in the buildings:

(1) [date of installation of each smoke detecting device and other records showing that the device installed meets the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York,] records including the manufacturer's suggested useful life of each device; and

(2) [whether the smoke detecting device receives its primary power from the building wiring or whether it is a battery operated device or in the alternative whether it is a line operated zoned smoke detecting system with central annunciation and central tie-in for all public corridors and public spaces;

(3) room number and location within room where each smoke detecting device is installed;

(4) records showing that maintenance performed on each device has met the requirements of article 312 of chapter 3 of title 28 of the administrative code of the city of New York] records showing that such devices meet the requirements of all applicable laws and rules.

(3) These records must be made available to the Commissioner of the Department of Housing Preservation and Development, the Department of Buildings ("DOB"), the Fire Department ("FDNY"), or the Department of Health and Mental Hygiene ("DOHMH") upon request.

§5. Section 12-04 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-04 Form for Notices for Smoke Detecting Devices.

A sample notice as required by §12-01(b) of these rules follows:

NOTICE

The law requires the owner of the premises to provide and install one or more approved and operational smoke detectors in each apartment in this building and to periodically replace such devices upon the expiration of their useful life in accordance with article 312 of chapter 3 of title 28 of the New York City Administrative Code. The tenant of each apartment is responsible for the maintenance and repair of the detectors installed in the apartment and for replacing any or all detectors which are stolen, removed, missing or become inoperable during the occupancy of the apartment with a device meeting the requirements of article 312 of chapter 3 of title 28 of the Administrative Code, unless a detector becomes inoperable within one year of being installed due to a manufacturing defect. The tenant of each apartment in this building in which a battery-operated smoke detector is provided and installed shall pay the owner a maximum of [twenty-

five dollars] \$25.00, or a maximum of [fifty dollars] \$50.00 where a combined smoke and carbon monoxide detecting device or a combined smoke and natural gas detecting device is installed for the cost of providing and installing each detector or a maximum of \$75.00 where a combined smoke, carbon monoxide and natural gas detecting device is installed. The tenant has one (1) year from the date of installation to make such payment to the owner.

§6. Section 12-05 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-05 Definitions. ✓

For the purposes of this chapter

- (a) CO means carbon monoxide; [and]
- (b) CO alarm means a "carbon monoxide alarm" as defined in 1 RCNY Chapter 28 and shall also mean a "carbon monoxide detecting device" as such term is used in subchapter 7 of chapter 1 and subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York, and section 902.1 of the building code[.]; and
- (c) Private Dwelling means a dwelling unit in a one-family or two-family home that is occupied by a person or persons other than the owner of such unit or the owner's family.

§7. Section 12-06 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-06 Owner Responsibilities for CO Alarms for Class A Multiple Dwellings.

Pursuant to [§27-2046.1] §27-2045(b)(1)(b) of the administrative code of the city of New York, the owner of a Class A multiple dwelling that [is required to] must be equipped with carbon monoxide detecting devices pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code, and as prescribed by the Department of Buildings ("DOB") pursuant to chapter 28 of title 1 of the rules of the city of New York [shall comply with the following requirements] must:

(a) Provide and install one or more approved and operational CO alarms in each dwelling unit, provided that there [shall] must be installed at least one approved and operational CO alarm within 15 feet of the primary entrance to each room lawfully used for sleeping purposes, and replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code;

(b) Post a notice in a form approved by the Commissioner of the Department of Housing Preservation and Development ("HPD" or "the Department") in a common area of a Class A multiple dwelling, readily visible and preferably in the area of the inspection certificate informing the occupants of such building that:

(1) the owner is required by law to install one or more approved and operational CO [alarm] alarms in each dwelling unit in the building within 15 feet of the primary entrance to each room lawfully used for sleeping purposes and to periodically replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code;

(2) each occupant is responsible for the maintenance and repair of such alarms and for replacing any or all such alarms that are stolen, removed, missing, or rendered inoperable during the occupancy of such dwelling unit; and

(3) the occupant of a dwelling unit in which a CO alarm is newly installed or in which a CO alarm is installed by the owner as a result of such occupant's failure to maintain such alarm or where such alarm has been lost or damaged by such occupant, or where such alarm is replaced upon the expiration of its useful life pursuant to article 12 of chapter 3 of title 28 of the New York

city administrative code, shall reimburse the owner in the amount of \$25.00 per device for the cost of such work, or a maximum of \$50.00 per device where a combined smoke and carbon monoxide detecting device or a combined carbon monoxide and natural gas detecting device is installed, or a maximum of \$75.00 per device where a combined smoke, carbon monoxide and natural gas detecting device is installed, and such occupant shall have one year from the date of installation to make such reimbursement.

(4) A sample of an approved notice that may be used for CO alarms is made part of these regulations in 28 RCNY §12-10 and may also be found on HPD's website at www.nyc.gov/HPD.

(5) For the notice otherwise required by this provision, an owner may, in lieu of such notice, [instead choose to] post a single notice that incorporates and complies with this provision as well as the provisions of 28 RCNY §12-01(b) and (c), 28 RCNY §12-09.1(f) and 28 RCNY §12-11(b). A sample of an approved single notice, the language of which may be used for compliance with this subdivision, is made part of these regulations in 28 RCNY §12-12.1 and may also be found on HPD's website at www.nyc.gov/HPD. The single notice permitted by this subdivision may be posted digitally if it meets all of the requirements of subdivisions (c) and (d) of this section, except that such digital single notice may not include the notice required under 28 RCNY § 12-11(b), which must be posted in hard copy.

(6) The notice required by this subdivision [shall conform with the following requirements] must:

(i) [the notice shall] have letters not less than three-sixteenths of an inch in height;
(ii) [the] have lettering of [the notice shall be of] bold type and [shall] be properly spaced to provide good legibility, and the background [shall] must be of contrasting colors;
(iii) the notice shall be durable and shall be substantially secured to the common area where posted;

(iv) [the notice shall] be of metal, plastic, or decal;

(v) have lighting [shall be] sufficient to make the notice easily legible[; and].

(c) For the notice required by subdivision (b) of this section, an owner may, in lieu of posting a physical notice that meets the requirements in paragraph (6) of such subdivision, install a digital sign that otherwise complies with subdivisions (b) and (d) of this section and with the requirements of 28 RCNY § 12-01(f), provided that, if the digital sign becomes inoperable, the owner must immediately display physical notices as described in this section until such time as the digital sign is made operable.

(d) If an owner installs a digital sign as allowed pursuant to subdivision (c) of this section, such owner must also install a digital sign as described in 28 RCNY § 12-01(e) (notice regarding smoke detecting devices), 28 RCNY §12-09.1(f) (notice regarding natural gas detecting devices), 28 RCNY § 25-101(f) (notice regarding owner's right of access and requirements for notification), 28 RCNY § 25-201(c) (notice regarding collection and disposal of garbage), 28 RCNY § 46-01(b) (notice regarding housing information guide), 28 RCNY § 56-03(c) (notice regarding temperature reporting device), and 28 RCNY § 59-01(c) (notice regarding bedbug infestation).

(e) Replace any CO alarm that has been stolen, removed, found missing, or rendered inoperable during a prior occupancy of the dwelling unit and which has not been replaced by the prior occupant before the commencement of a new occupancy of the dwelling unit and replace such alarm upon the expiration of its useful life pursuant to article 12 of chapter 3 of title 28 of the New York city administrative code;

[(d)] (f) Replace within 30 calendar days after receipt of written notice any such alarm that becomes inoperable within one year of the installation of such alarm due to a defect in the manufacture of such alarm through no fault of the occupant of the dwelling unit;

[(e)] (g) Provide written information regarding the testing and maintenance of CO alarms to at least one adult occupant of each dwelling unit, including, but not limited to, general information concerning carbon monoxide poisoning and what to do if a CO alarm goes off, that CO alarms

have a useful life limitation and that the owner has a duty to replace such alarms upon the expiration of such useful life. Such information may include material that is distributed by the manufacturer or any material prepared or approved by DOB and [shall] must be provided at the time of installation;

[(f)] (h) Keep the following records, on the premises or in the business office of the owner or managing agent, relating to the installation and maintenance of CO alarms in the building:

(1) date notice posted pursuant to 28 RCNY § 12-01(d) or §12-06(b) or installed pursuant to §12-06(c) of this chapter;

(2) [date of installation of each CO alarm and] the expiration date of the manufacturer's suggested useful life of each such alarm; and

(3) [whether each CO alarm receives its primary power from the building wiring with secondary battery back-up, is a battery-operated alarm, or is a plug-in type CO alarm with a back-up battery;

(4) apartment number and location within apartment where each alarm was installed;

(5) maintenance work performed on each alarm; and

(6) date occupant requested replacement/repair]

records showing that such devices meet the requirements of all applicable laws and rules.

These records must be made available to the Commissioner of the Department of Housing Preservation and Development, [DOB] the Department of Buildings ("DOB"), the Fire Department ("FDNY"), or the Department of Health and Mental Hygiene ("DOHMH") upon request.

§8. Section 12-07 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-07 Owner Responsibilities for CO Alarms for Private Dwellings.

Pursuant to [§27-2046.1] §27-2045(b)(1)(b) of the administrative code of the city of New York, the owner of a private dwelling that [is required to] must be equipped with CO alarms pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code and as prescribed by DOB pursuant to chapter 28 of title 1 of the rules of the city of New York [shall comply with the following requirements] must:

(a) Provide and install one or more approved and operational CO alarm in each dwelling unit, provided that there [shall] must be installed at least one approved and operational CO alarm within 15 feet of the primary entrance to each room lawfully used for sleeping as prescribed in the DOB rules and regulations relating to CO alarms, and replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code;

(b) For purposes of (c) through (g) of this section, "private dwelling" [shall mean] means a dwelling unit in a one-family or two-family home that is occupied by a person or persons other than the owner of such unit or the owner's family;

(c) Provide notice in a form approved by the Department to the occupants of such dwelling that:

(1) the owner is required by law to install an approved and operational CO alarm in each dwelling or dwelling unit in the building, within 15 feet of the primary entrance to each room lawfully used for sleeping and to periodically replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code;

(2) each occupant is responsible for the maintenance and repair of such alarms and for replacing any or all such alarms that are stolen, removed, missing, or rendered inoperable during the occupancy of such dwelling or dwelling unit; and

(3) the occupant of a dwelling or dwelling unit in which a CO alarm is newly installed, or in which a CO alarm is installed by the owner as a result of such occupant's failure to maintain

such alarm, or where such alarm has been lost or damaged by such occupant or where such alarm is replaced upon the expiration of its useful life pursuant to article 12 of chapter 3 of title 28 of the New York city administrative code, shall reimburse the owner in the amount of \$25.00 per alarm for the cost of such work, and the occupant shall have one year from the date of installation to make such reimbursement;

(d) Replace any CO alarm that has been stolen, removed, found missing, or rendered inoperable during a prior occupancy of the dwelling or dwelling unit and that has not been replaced by the prior occupant before commencement of a new occupancy of the dwelling or dwelling unit;

(e) Replace within 30 calendar days after receipt of written notice any such alarm that becomes inoperable within one year of the installation of such alarm due to a defect in the manufacture of such alarm through no fault of the occupant of the dwelling or dwelling unit;

(f) Provide written information regarding the testing and maintenance of CO alarms to at least one adult occupant of each dwelling or dwelling unit, including, but not limited to, general information concerning carbon monoxide poisoning and what to do if a CO alarm goes off and that CO alarms have a useful life limitation and that the owner has a duty to replace such alarms upon the expiration of such useful life. Such information may include material that is distributed by the manufacturer or any material prepared or approved by DOB and [shall] must be provided at the time of installation; and

(g) Keep the following records relating to the installation and maintenance of CO alarms in the dwelling or dwelling unit:

(1) [date of installation of each CO alarm and] the expiration date of the manufacturer's suggested useful life of each such alarm; and

(2) [whether each CO alarm receives its primary power from the building wiring with secondary battery back-up, is a battery-operated device, or is a plug-in type CO alarm with a back-up battery;

(3) location within dwelling or dwelling unit where each alarm is installed;

(4) maintenance work performed on each alarm; and

(5) date occupant requested replacement/repair]

records showing that such devices meet the requirements of all applicable laws and rules.

These records must be made available to the Commissioner of the Department of Housing Preservation and Development, the Department of Buildings ("DOB"), the Fire Department ("FDNY"), or [DOHMH] the Department of Health and Mental Hygiene ("DOHMH") upon request.

§9. Subdivision a of section 12-08 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

(a) Pursuant to [§27-2046.1] §27-2045(c) of the administrative code of the city of New York, it shall be the sole duty of the occupant of each unit in a Class A multiple dwelling and the occupant of a dwelling or dwelling unit in a private dwelling in which a CO alarm has been provided and installed by the owner to:

(1) keep and maintain such CO alarm in good repair; and

(2) replace any alarm that is either stolen, removed, missing, or rendered inoperable during the occupancy of such dwelling or dwelling unit.

§10. Section 12-09 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-09 Owner Responsibilities for CO Alarms for Class B Multiple Dwellings.

Pursuant to §27-2046.2 §27-2045(b)(1)(b) of the administrative code of the city of New York, the owner of a Class B multiple dwelling that [is required to] must be equipped with one or more CO alarms pursuant to section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code and as prescribed by DOB pursuant to chapter 28 of title 1 of the rules of the city of New York [shall] must:

(a) Provide and install one or more approved and operational CO alarm in each dwelling unit and replace such devices as necessary in accordance with article 12 of chapter 3 of title 28 of the administrative code, or in the alternative, provide and install a line operated zoned CO detecting system with central annunciation and central office tie-in for all public corridors and public spaces;

(b) Keep and maintain CO alarms or systems in good repair and replace such alarm upon the expiration of its useful life pursuant to article 12 of chapter 3 of title 28 of the New York city administrative code;

(c) Replace any CO alarm that has been stolen, removed, found missing, or rendered inoperable prior to the commencement of a new occupancy of a dwelling unit;

(d) Keep the following records, on the premises or in the business office of the managing agent or owner, relating to the installation and maintenance of CO alarms or systems:

(1) [date of installation of each CO alarm or system and] the expiration date of the manufacturer's suggested useful life of each such alarm;

(2) [whether the CO alarm receives its primary power from the building wiring with secondary battery back-up, is a battery-operated alarm, is a plug-in type CO alarm with a back-up battery, or in the alternative whether it is a line operated zoned CO detecting system with central annunciation and central office tie-in for all public corridors and public spaces;

(3) room number and location within room where each CO alarm was installed;

(4) maintenance work performed on each alarm]

the date notice posted pursuant to §12-06(b) of this chapter; and

(3) records showing that such devices meet the requirements of all applicable laws and rules.

These records must be made available to the Commissioner of the Department of Housing Preservation and Development, [DOB] the Department of Buildings ("DOB"), the Fire Department ("FDNY"), or [DOHMH] the Department of Health and Mental Hygiene ("DOHMH") upon request.

§11. Chapter 12 of Title 28 of the Rules of the City of New York is amended by adding new sections 12-09.1 and 12-09.2 to read as follows:

§12-09.1 Owner Responsibilities for Natural Gas Detecting Devices for Class A Multiple Dwellings, Class B Multiple Dwellings and Private Dwellings.

Pursuant to §27-2045(b)(1)(c) of the administrative code of the city of New York, the owner of a Class A multiple dwelling, a Class B multiple dwelling, or a private dwelling that must be equipped with one or more natural gas detecting devices pursuant to section 908.10 of the New York city building code or section 28-315.2.3 of the code must:

(a) Provide and install one or more approved and operational natural gas detecting devices or, in the alternative for Class B multiple dwellings, provide and install a line-operated zoned natural gas detecting system with central annunciation and central office tie-in for all public corridors and public spaces pursuant to rules and regulations promulgated by the Commissioner of the Department of Buildings;

(b) Periodically replace any device required under subdivision (a) of this section upon expiration of its useful life in accordance with article 312 of chapter 3 of Title 28 of the administrative code of the city of New York;

(c) For a Class A multiple dwelling or private dwelling, replace any such device that has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the dwelling unit and that has not been replaced by the prior occupant before commencement of a new occupancy of such dwelling unit;

(d) For a Class B multiple dwelling, replace any such device that has been stolen, removed, found missing or rendered inoperable before commencement of a new occupancy of such dwelling unit;

(e) For a Class A multiple dwelling or a private dwelling, where any device required under subdivision (a) of this section becomes inoperable within one year after installation due to a defect in the manufacture of such device and through no fault of the occupant of such dwelling unit, replace such device within 30 calendar days after receiving written notice that such device is inoperable;

(f) For a Class A multiple dwelling or a private dwelling, post a notice in a form approved by the Commissioner of the Department of Housing Preservation and Development in a common area of the building, readily visible and preferably in the area of the inspection certificate, informing the occupants of such building that the owner is required by law to install one or more approved and operational natural gas detecting devices in each dwelling unit in the building and to periodically replace such devices upon the expiration of their useful life. Such notice must also indicate that each occupant is also responsible for the maintenance, repair, and replacement of such device in accordance with article 312 of chapter 3 of Title 28 of the administrative code of the city of New York.

(1) A notice required by this subdivision must:

(i) have letters not less than three-sixteenths of an inch in height;

(ii) have lettering of bold type and be properly spaced to provide good legibility and the background must be of contrasting colors;

(iii) be durable and be substantially secured to the common area where posted;

(iv) be of metal, plastic, or decal; and

(v) have lightings sufficient to make the notice easily legible.

(2) A sample of an approved notice that may be used for natural gas detecting devices is made part of these regulations in 28 RCNY §12-09.2 and may also be found on HPD's website at www.nyc.gov/HPD.

(3) An owner may, in lieu of posting a physical notice that meets the requirements in paragraph (1) of this subdivision, install a digital sign that otherwise complies with this subdivision and with the requirements of 28 RCNY § 12-01(f), provided that, if the digital sign becomes inoperable, the owner must immediately display physical notices as described in this section until such time as the digital sign is made operable.

(4) If an owner installs a digital sign as allowed by paragraph (2) of this subdivision, such owner must also install a digital sign as described in 28 RCNY § 12-01(e) (notice regarding smoke detecting devices), 28 RCNY § 12-06(c) (notice regarding carbon monoxide alarm requirements), 28 RCNY § 25-101(f) (notice regarding owner's right of access and requirements for notification), 28 RCNY § 25-201(c) (notice regarding collection and disposal of garbage), 28 RCNY § 46-01(b) (notice regarding housing information guide), 28 RCNY § 56-03(c) (notice regarding temperature reporting device), and 28 RCNY § 59-01(c) (notice regarding bedbug infestation); and

(g) Keep the following records, on the premises or in the business office of the managing agent or owner, relating to the installation or maintenance of the natural gas detecting devices:

(1) the date notice was posted pursuant to subdivision (f) of this section;

(2) records including the manufacturer's suggested useful life of each device; and

(3) records showing that such devices meet the requirements of all applicable laws and rules. These records must be made available to the Commissioner of the Department of Housing Preservation and Development, the Department of Buildings ("DOB"), the Fire

Department ("FDNY"), or the Department of Health and Mental Hygiene ("DOHMH") upon request.

§12-09.2 Form for Notices for Natural Gas Detecting Devices.

A sample notice as required by §12-09.1(f) of these rules follows:

NOTICE

The law requires the owner of the premises to install one or more natural gas alarms in this building. The natural gas alarm must be placed within 10 feet but not closer than 3 feet of each gas burning appliance. The natural gas alarm must be installed on the ceiling or wall not further than 12 inches below the ceiling. Natural gas alarms must be installed in any area, both public and private, containing a natural gas appliance. Natural gas appliances include but are not limited to, stoves, gas dryers, hot water heaters, heating plants, etc. The natural gas alarm must be periodically replaced by the owner as necessary when the suggested useful life of the alarm expires. Tenants are responsible for the maintenance and repair of the alarms installed in their residence and for replacing any or all alarms that are stolen, removed, missing, or become inoperable during the occupancy of the residence, unless an alarm becomes inoperable within one year of being installed due to a manufacturing defect. The occupant of each residence in which a natural gas alarm is provided and installed must pay the owner \$25 per alarm, or \$50 per device where combined with a smoke detecting device or a carbon monoxide detecting device, or a maximum of \$75 per device where a combined smoke, carbon monoxide, and natural gas detecting device is installed. This fee covers the cost of the work for the initial installation and each periodic replacement. The occupant has one year from the date of installation to pay the owner.

§12. Section 12-10 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-10 Form for Notices for CO Alarms.

A sample form for providing notice to occupants pursuant to §12-06 of these rules follows:

NOTICE

The law requires the owner of the premises to provide a carbon monoxide alarm in each apartment in this building. The carbon monoxide alarm must be placed within 15 feet of the primary entrance to each sleeping room, must be equipped with an end of life alarm, and must be periodically replaced by the owner as necessary when the suggested useful life of the alarm expires. Tenants are responsible for the maintenance and repair of the alarms installed in the apartment and for replacing any or all alarms that are stolen, removed, missing, or become inoperable during the occupancy of the apartment, unless an alarm becomes inoperable within one year of being installed due to a manufacturing defect. The occupant of each apartment in which a carbon monoxide alarm is provided and installed must pay the owner \$25.00 per alarm, or a maximum of \$50.00 per device where a combined smoke and carbon monoxide detecting device or a combined carbon monoxide and natural gas detecting device is installed or a maximum of \$75.00 per device where a combined smoke, carbon monoxide and natural gas detecting device is installed. This fee covers the cost of the work for the initial installation and each periodic replacement. The occupant has one year from the date of installation to pay the owner.

§13. Section 12-11 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§12-11 Owner Responsibilities for Notices of Suspected Gas Leak Procedures.

The owner of a tenant-occupied dwelling [shall take all of the following actions] must:

(a) Deliver or cause to be delivered to each tenant and prospective tenant of such dwelling one time, along with the first lease or first lease renewal for such tenant or prospective tenant, a notice in a form approved by the Department of Housing Preservation and Development ("HPD") describing the procedures to be followed when a gas leak is suspected;

(b) Post a notice in a form approved by HPD in a common area of the dwelling, readily visible, informing the occupants of such dwelling of the procedures to be followed when a gas leak is suspected. This notice [shall conform with the following requirements] must:

(1) [the notice shall] have letters not less than three-sixteenths of an inch in height;

(2) [the] have lettering of [the notice shall be of] bold type and [shall]be properly spaced to provide good legibility and the background [shall] must be of contrasting colors;

(3) [the notice shall]be durable and [shall] must be substantially secured to the common area where posted;

(4) [the notice shall] be of metal, plastic, or decal; and

(5) have lighting [shall be]sufficient] to make the notice easily legible.

(c) The notices required by subdivisions (a) and (b) of this section [shall] must instruct tenants to leave the building and call 911 immediately after leaving when they suspect a gas leak and then call the gas service provider that is providing gas to the dwelling. The owner of the dwelling [shall] must identify who the gas service provider for the dwelling is and provide the name and current emergency phone number of the appropriate gas service provider on the notices required by subdivisions (a) and (b). A sample of an approved notice, the language of which may be used for compliance with subdivisions (a) and (b) of this section, is made part of these regulations in 28 RCNY §12-12, and may also be found on HPD's website at www.nyc.gov/HPD.

(1) When the gas service provider for the dwelling is Con Edison, the notices required by subdivisions (a) and (b) of this section [shall] must instruct tenants to call Con Edison at 1-800-752-6633, after first leaving the building and calling 911, unless 1-800-752-6633 is no longer the number used to report suspected gas leaks to Con Edison, in which case the current emergency phone number used by Con Edison shall be used instead.

(2) When the gas service provider for the dwelling is National Grid, the notices required by subdivisions (a) and (b) of this section shall instruct tenants to call National Grid at 1-718-643-4050, after first leaving the building and calling 911, unless 1-718-643-4050 is no longer the current number used to report suspected gas leaks in New York City to National Grid, in which case the current emergency phone number used by National Grid for New York City shall be used instead.

(d) For the notice required to be posted by subdivision (b) of this section, an owner may, in lieu of such otherwise required notice, [choose to] post a single notice that incorporates and complies with 28 RCNY §12-01(b) and (c), 28 RCNY §12-06(b), 28 RCNY §12-09.1(f), and 28 RCNY §12-11(b). A sample of such an approved notice is made part of these regulations in 28 RCNY §12-12.1 and may also be found on HPD's website at www.nyc.gov/HPD.

§14. Section 12-12.1 of chapter 12 of Title 28 of the Rules of the City of New York is amended to read as follows:

§ 12-12.1 Combined Form for Notice for Smoke Detecting Devices, Notice for Carbon Monoxide Alarms, Notice for Natural Gas Detecting Devices, and Notice for Suspected Gas Leak Procedures.

(a) If an owner chooses to post a single notice that incorporates and complies with the notice requirements of 28 RCNY § 12-01(b) and (c), 28 RCNY § 12-06(b), 28 RCNY § 12-09.1(f), and 28 RCNY § 12-11(b), the sample notice below may be used in lieu of the notices otherwise required by 28 RCNY § 12-01(b) and (c), 28 RCNY § 12-06(b), 28 RCNY § 12-09.1(f), and 28 RCNY § 12-11(b) and shall be posted in a common area of the building, readily visible:

Notices for Suspected Gas Leaks, Smoke Detecting Devices, Natural Gas Detecting Devices, and Carbon Monoxide Alarms

NOTICE

The law requires the owner of the premises to notify tenants regarding the following:

Suspected Gas Leak Procedure: When a tenant suspects that a gas leak has occurred, the tenant should take the following actions:

1. Quickly open nearby doors and windows and then leave the building immediately; do not attempt to locate the leak. Do not turn on or off any electrical appliances, do not smoke or light matches or lighters, and do not use a house-phone or cell-phone within the building;
2. After leaving the building, from a safe distance away from the building, call 911 immediately to report the suspected gas leak;
3. After calling 911, call the gas service provider for this building as follows:___

Provider_____

Number_____

Smoke Detectors: The law requires the owner of the premises to provide and install one or more approved and operational smoke detectors in each apartment and to periodically replace such devices upon the expiration of their useful life in accordance with Article 312 of Chapter 3 of Title 28 of the New York City Administrative Code. The tenant of each apartment is responsible for the maintenance and repair of the detectors installed in the apartment and for replacing any or all detectors which are stolen, removed, missing or become inoperable during the occupancy of the apartment with a device meeting the requirements of Article 312 of Chapter 3 of Title 28 of the Administrative Code, unless a detector becomes inoperable within one year of being installed due to a manufacturing defect. The tenant of each apartment in this building in which a battery-operated smoke detector is provided and installed shall pay the owner a maximum of [twenty-five dollars] \$25.00, or a maximum of [fifty dollars] \$50.00 where a combined smoke and carbon monoxide detecting device or a combined smoke and natural gas detecting device is installed or a maximum of \$75.00 where a combined smoke, carbon monoxide and natural gas detecting device is installed for the cost of providing and installing each detector. The tenant has one (1) year from the date of installation to make such payment to the owner.

Carbon Monoxide Detectors: The law requires the owner of the premises to provide a carbon monoxide alarm in each apartment in this building. The carbon monoxide alarm must be placed within 15 feet of the primary entrance to each sleeping room, must be equipped with an end of life alarm, and must be periodically replaced by the owner as necessary when the suggested useful life of the alarm expires. Tenants are responsible for the maintenance and repair of the alarms installed in the apartment and for replacing any or all alarms that are stolen, removed, missing, or become inoperable during the occupancy of the apartment, unless an alarm becomes inoperable within one year of being installed due to a manufacturing defect. The occupant of each apartment in which a carbon monoxide alarm is provided and installed must pay the owner \$25.00 per alarm, or a maximum of \$50.00 per device where a combined smoke and carbon monoxide detecting device or a combined carbon monoxide and natural gas detective device is installed or a maximum of \$75.00 per device where a combined smoke, carbon monoxide and natural gas detecting device is installed. This fee covers the cost of the work for the initial installation and each periodic replacement. The occupant has one year from the date of installation to pay the owner.

Natural Gas Detectors: The law requires the owner of the premises to install one or more natural gas alarms in this building. The natural gas alarm must be placed within 10 feet but not closer than 3 feet of each gas burning appliance. The natural gas alarm must be installed on the ceiling or wall not further than 12 inches below the ceiling. Natural gas alarms must be installed in any area, both public and private, containing a natural gas appliance. Natural gas appliances include but are not limited to, stoves, gas dryers, hot water heaters, heating plants, etc. The natural gas alarm must be periodically replaced by the owner as necessary when the suggested useful life of the alarm expires. Tenants are responsible for the maintenance and repair of the alarms installed in their residence and for replacing any or all alarms that are stolen, removed, missing, or become inoperable during the occupancy of the residence, unless an alarm becomes inoperable within one year of being installed due to a manufacturing defect. The occupant of each residence in which a natural gas alarm is provided and installed must pay the owner \$25 per alarm, or \$50 per device where combined with a smoke detecting device or a carbon monoxide detecting device, or a maximum of \$75 per device where a combined smoke, carbon monoxide, and natural gas detecting device is installed. This fee covers the cost of the work for the initial installation and each periodic replacement. The occupant has one year from the date of installation to pay the owner.

§15. Chapter 12 of Title 28 of the Rules of the City of New York is amended by adding a new section 12-13 to read as follows:

§ 12-13 Information Provided by Owner of a Class A Multiple Dwelling or Private Dwelling.

Pursuant to §27-2045(b)(6) of the administrative code of the city of New York, the owner of a Class A multiple dwelling or private dwelling must:

(a) Provide at least one adult occupant of each dwelling unit with a notice that contains information relating to:

(1) The risks posed by carbon monoxide poisoning and, if natural gas detecting devices are required to be installed in such dwelling unit by rules promulgated by the commissioner of buildings, the risks posed by natural gas leaks;

(2) The testing and maintenance of smoke detecting devices, carbon monoxide detecting devices and, if natural gas detecting devices are required to be installed in such dwelling unit by rules promulgated by the commissioner of buildings, natural gas detecting devices;

(3) What to do if such devices sound an alert;

(4) The useful life of any such devices;

(5) The owner's duty to replace such devices pursuant to article 312 of title 28 of the administrative code of the city of New York; and

(6) The adult occupant's duty to maintain and repair such devices that are battery-operated and within such occupant's dwelling unit and replace any or all such devices within such dwelling unit that are stolen, removed, found missing or rendered inoperable during such occupant's occupancy of such dwelling unit.

(b) The information provided in accordance with this section may include material that is distributed by the manufacturer or material prepared or approved by the Department of Buildings ("DOB").

(c) This section does not apply to smoke detecting devices in private dwellings.

§16. Chapter 12 of Title 28 of the Rules of the City of New York is amended by adding a new section 12-14, to read as follows:

§ 12-14 Exemptions.

(a) Except as provided in subdivision (c) of this section, the owner's duty to install a carbon monoxide detecting device in a Class A multiple dwelling, a Class B multiple dwelling, or a private dwelling, as required by § 27-2045(b)(1)(b) of the administrative code of the city of New York and by §§ 12-06, 12-07, and 12-09 of this chapter, shall not apply to buildings that do not have a fossil fuel burning device.

(b) The owner's duty to install a natural gas detecting device in a Class A multiple dwelling, a Class B multiple dwelling, or a private dwelling, as required by § 27-2045(b)(1)(c) of the administrative code of the city of New York and by § 12-09.1 of this chapter, shall not apply to buildings that do not have gas piping.

(c) In a building where there is an enclosed parking garage located on a floor, but the building does not have a fossil fuel burning device, the owner's duty to install a carbon monoxide detecting device in a Class A multiple dwelling, a Class B multiple dwelling, or a private dwelling, as required by § 27-2045(b)(1)(b) of the administrative code of the city of New York and by §§ 12-06, 12-07, and 12-09 of this chapter, shall apply only to those floors where an enclosed parking garage is located and to those floors immediately above and immediately below any floor where an enclosed parking garage is located.

(d) An owner of a building who seeks an exemption pursuant to subdivisions (a) and/or (b) of this section or a partial exemption pursuant to subdivision c of this section shall submit supporting documentation to the department through an electronic portal or a paper format, as made available by the department, that attests to such owner's qualification for either a full exemption or a partial exemption from the requirements of §§27-2045(b)(1)(b) and 27-2045(b)(1)(c) of the administrative code of the city of New York and §§ 12-06, 12-07, 12-09 and 12-09.1 of this chapter.

**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: Rules Relating to Installation and Maintenance of Carbon Monoxide Detecting Devices, Natural Gas Detecting Devices and Smoke Detecting Devices

REFERENCE NUMBER: 2025 RG 020

RULEMAKING AGENCY: Department of Housing Preservation and Development

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: April 23, 2025

**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: Rules Relating to Installation and Maintenance of Carbon Monoxide
Detecting Devices, Natural Gas Detecting Devices and Smoke
Detecting Devices**

REFERENCE NUMBER: HPD-102

RULEMAKING AGENCY: Department of Housing Preservation and Development

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

April 23, 2025
Date

