

BOROUGH _____ HOUSE NO. _____ STREET NAME _____

CERTIFICATION OF CORRECTION OF LEAD-BASED PAINT HAZARD VIOLATION

Complete ownership statement and sections of form for applicable Order number and sign below.

I, _____ (PRINT NAME), swear or affirm under penalty of perjury as follows.

1. That I am: (check)

- | | |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Currently registered owner of the property | <input type="checkbox"/> Otherwise registered as responsible for the property |
| <input type="checkbox"/> Currently registered officer or director of the Corporation that owns the property | <input type="checkbox"/> Owner or shareholder of record for a condo or cooperative unit that is tenant-occupied. |
| <input type="checkbox"/> Currently registered managing agent of the property | <input type="checkbox"/> Owner of 1-2 family dwelling where I or my immediate family reside. |

2. That I have complied with violation number _____ by conducting the appropriate actions and enclosing documentation as described below.

3. For any work completed, I have included

- An Affidavit from the EPA-certified abatement firm’s authorized agent or individual who performed the work stating that the work was performed in accordance with §27-2056.11 of Article 14 of the Housing Maintenance Code and 28 RCNY§11-06; The start and completion date of the work; The address and contact information (phone or fax) for the EPA firm that completed the work.
- A copy of the EPA certification for the abatement firm that performed the work.
- A copy of EPA certifications of the EPA-certified Abatement Workers and Supervisors who performed the work.
- The location of the work performed in each room, including a description of such work and components of parts of the dwelling unit that were replaced OR invoices for payment for such work.
- A copy of the State-certified laboratory analysis of all surface dust samples taken which indicates the method of preparation and analysis of the samples.
- An Affidavit from the individual who took the surface dust samples, verifying the date the samples were taken and indicating the address/dwelling unit where the samples were taken.
- A copy of the EPA certificate of the individual who took surface dust samples. The EPA certificate must be valid for the period when the dust samples were taken.

Options #4 and #5 below cannot be submitted for a window or door friction surface tested positive for lead-based paint by HPD for which an Order #617 violation was issued.

4. For any window or door friction surface where I did not have work completed, I have included the following for XRF testing which indicates there is no lead-based paint as defined by Local Law 1 of 2004 on the tested window and door friction surfaces:

- A copy of the inspection report prepared by an EPA-certified Inspector or Risk Assessor;
- A copy of the EPA certification of the Inspector or Risk Assessor valid for the inspection date; and

- A notarized Affidavit by the Inspector or Risk Assessor who conducted the XRF testing (Affidavit sample enclosed with this Notice of Violation).

5. For any window or door friction surface where I did not have work completed, I have included the following if XRF testing indicated one or more inconclusive results, but paint chip sampling performed on those inconclusive surfaces indicates there is no lead-based paint as defined by Local Law 1 of 2004 on the tested window and door friction surfaces:

- A copy of the inspection report prepared by an EPA-certified Inspector or Risk Assessor;
- A copy of the paint chip sampling report prepared by an EPA-certified Inspector or Risk Assessor;
- A copy of the EPA certification of the Inspector or Risk Assessor valid for the inspection date;
- A notarized Affidavit by the Inspector or Risk Assessor who conducted the XRF testing and paint chip sampling (Affidavit sample enclosed with this Notice of Violation); and
- A copy of the State-certified laboratory analysis of the paint chip sample.

Phone Number

Authorized Signature

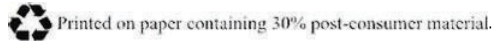
Email Address

State of New York, County of _____
Sworn to before me this _____ day of _____, 20 _____

Stamp

(Notary Signature)

THE MAKING OF A FALSE CERTIFICATION IS A CRIME PUNISHABLE BY A FINE AND/OR IMPRISONMENT



INFORMATION

You may be subject to the penalties described below unless you correct the lead-based paint violation(s) and certify the correction of the violation(s) by the date indicated on the front of this Notice of Violation.

I. PENALTIES Failure to correct and certify correction by the specified date may subject the owner to the following penalties:

Order 621: \$250 per day per violation, up to a maximum of \$10,000

Order 622: \$250 per day per violation, up to a maximum of \$10,000

Order 623: \$1500 per violation

Order 625: \$250 per day per violation, up to a maximum of \$10,000

II. HOW TO CERTIFY Only an Owner, Managing Agent, Officer or Director of the corporation that owns the property or party otherwise responsible for the property listed on a valid Property Registration filed with the Department may certify the correction of a violation.

1. The requirements for turnover of the dwelling unit include remediating lead-based paint hazards or presumed lead-based paint hazards, including encapsulating chewable surfaces where there is evidence of teeth marks; **permanent removal of** lead-based paint on friction surfaces on all doors and door frames; **permanent removal of** lead-based paint on all friction surfaces of windows and window frames or providing for the installation of replacement window channels or sliders; and making all bare floors, window sills, and window wells smooth and cleanable.

2. Complete, sign, and have your signature notarized, on the Certification form located on the back of the AGENCY Copy.

3. Attach all required documents based on the Instructions included with this Notice of Violation for the particular order number.

4. Return the AGENCY Copy to the Division of Code Enforcement at 94 Old Broadway, 7th Floor, New York, NY 10027, ATTN: Audit Unit; accompanied by corresponding documentation, in person or by certified or registered mail, return receipt requested. The AGENCY Copy must be hand delivered or postmarked on or before the date by which the correction is required to be certified.

III. POSTPONEMENT You may request that the Department extend the date to correct lead-based paint hazard violations if there are valid reasons why you cannot complete the work within the time frame. Forms specifically designed for requesting postponement of a lead-based paint hazard violation correction is enclosed with this Notice of Violation. Postponements must be submitted at least 5 days prior to the correction date stated on the front of the NOV.

IV. CONTESTATION You may contest the issuance of these violations based on the valid reasons listed on the Contestation Form enclosed with this Notice of Violation. Please review that document for additional details regarding this process. Contestations must be submitted at least 5 days prior to the correction date stated on the front of the NOV.

IV. INFORMATION AND ASSISTANCE

More information about Turnover requirements can be found in educational materials such as bulletins and webinars on HPD's website at www.nyc.gov/lead-based-paint. If the time set for certification has expired, you may submit the appropriate documents to the Audit Unit for review requesting dismissal.

FALSE CERTIFICATION IS A CRIME! The Housing Maintenance Code provides for a fine of up to \$1,000, imprisonment of up to a year, or both, for willfully submitting a false statement. Criminal Penalties are also provided by the Penal Code for such false statements. In addition, the Housing Maintenance Code §27-2115 provides that a person who makes a false certification of correction of a lead-based paint hazard violation **SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$1,000 NOR MORE THAN \$3,000 for each false certification made.**



EPA-Licensed Lead Abatement Firm Name

Address: _____

Tel: _____ Fax: _____ Email: _____

EPA Abatement Firm License Number: _____ Expiration date: _____

Dated: _____

Premises address: _____ Apt: _____

Violation Number(s) _____

I, _____, the EPA Firm Principal / Lead Abatement Supervisor / Project Designer for this abatement or remediation work, hereby swear that this firm performed the work under my supervision to correct the above lead paint hazard violation(s) in accordance with Housing Maintenance Code § 27-2056.11 and §11-06 of Title 28 of the Rules of the City of New York during the period commencing _____, 20__ and completed _____, 20__. All violations were corrected using methods consistent with all industry practices and standards. A copy of my EPA Lead Paint Abatement Firm license and, if I am a Lead Abatement Supervisor / Project Designer, my Lead Abatement Supervisor / Project Designer license in effect (license _____, exp _____) when the work was done is attached.

Sworn to before me this
_____ day of _____, 20__

Signature, EPA Firm Principal / Lead
Abatement Supervisor / Project Designer
EPA

Notary Public

AFFIDAVIT BY DUST WIPE SAMPLER

I _____ (print name), performed the sampling for lead based paint dust hazard clearance at the premises located at _____ (address), apartment number _____ on _____ (date). I have attached a copy of my EPA Certification issued under 40 CFR 745.226, either as Lead Inspector / Risk Assessor or my 6 month Interim Certification under 40 CFR 745.225 from an EPA accredited school to this affidavit.

Sworn to before me this _____ day of _____, 20_____

Signature

Notary Public

Phone Number

**THE MAKING OF A FALSE CERTIFICATION IS A CRIME
PUNISHABLE BY A FINE AND/OR IMPRISONMENT**

**AFFIDAVIT BY CERTIFIED INDIVIDUAL
WHO PERFORMED LEAD-BASED PAINT TESTING**

(Submit only where required by this Notice of Violation)

I, _____ (**print name**), performed the inspection and testing and/or sampling for lead-based paint at the premises located at _____ (**street**), _____ (**city**), _____ (**state**), _____ (**zip**), _____ (**unit number, if applicable**) on _____ (**date**).

I am certified to perform such inspections and testing and/or sampling under Part 745 of Title 40 of the Code of Federal Regulations subparts L and Q. I performed the inspection, and testing and/or sampling in accordance Title 40 CFR § 745.227, and Chapter 7 of the U.S. Department of Housing and Urban Development’s Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing, 2nd Edition (July 2012).

I have attached a copy of my EPA certification to this affidavit. My EPA certification number is _____ and it expires on _____.

I have also attached to this affidavit a copy of the EPA certification of my firm (**firm name**): _____.

(Print Name)

(Signature)

State of New York, County of _____

Notary Stamp

Sworn to before me this _____ day of _____, 20_____

(Notary Print Name)

(Notary Signature)