

“Get Ahead of Lead” February Special 2025 Bulletin

February 14, 2025

Dear Property Owners,

Furthering our commitment to providing property owners information on their obligations under the law, the Department of Housing Preservation and Development (HPD) will be publishing a series of quarterly bulletins online and via email. Each bulletin will highlight one aspect of the law and is not meant to comprehensively cover all laws and rules that apply. Visit the [HPD website](#) to read this bulletin and past bulletins in other languages.

This publication is intended for informational purposes only and is not intended as legal advice. This information is not a complete or final statement of all the duties of owners and tenants regarding laws and rules relating to housing in New York City.

"Get Ahead of Lead" *SPECIAL* Briefing

Stay Compliant: Annual Requirements and Next Steps

The Annual Notice is used to determine if a child under six routinely spends 10 or more hours each week in a dwelling unit. Owners of multiple dwellings built before 1960 (or between 1960 and 1978 if lead-based paint is suspected) should have already:

- Delivered the Annual Notice to tenants between **January 1st and January 16th**.
- Documented all activities related to [delivering the Annual Notice](#).
- Collect completed notices from tenants by **February 15th**.
- Documented the receipt of units that [did not respond](#) to the annual notice.

Required for any multiple dwelling built prior to January 1, 1960 or built January 1, 1960 to January 1, 1978 where the owner has actual knowledge of the presence of lead-based paint. Deliver annual notice between January 1 and January 16. The notice must be provided to the tenant in at least English and Spanish and in duplicate (two copies of each) so the tenant can retain a copy and return a copy to the owner. The Occupant should respond by February 15. As of January 1, 2020, the term "resides" means that a child under six routinely spends 10 or more hours per week in the dwelling unit. Attach to this form and retain for at least 10 years. Copy of sample Annual Notice in English and Spanish, available at hd.ny.gov. If the delivery was completed by a third party, also attach the company's name and address to this form.

Building address _____ Owner/agent name _____
Borough _____ Property registration # _____ Owner/agent signature _____

Apt #	Is apt exempt from the required notice?		Date of delivery	Method of delivery			Delivered by		Name of individual who delivered the annual notice	Response Received?		Child under the age of 6 resides in the apt?		Child information based on			
	No	Yes, has HPD exemption		Email	Mail	Hand delivery	Owner/agent	Third party		Yes	No*	Yes	No	Occupant written response	Occupant verbal response	Owner inspection	

What happens if:

A tenant does not return the completed notice.

If the notice is not returned by **February 15th**, owners must:

- Conduct follow-up inspections between **February 16th and March 1st** to determine if a child under six resides in the units which did not respond to the annual notice.
- Keep records of all contact attempts and inspections.
- Notify the Department of Health and Mental Hygiene (DOHMH) in writing if the tenant still does not return the notice. Send the notification to:

Department of Health and Mental Hygiene — Healthy Homes
125 Worth Street, Sixth Floor, CN58
New York, NY 10013

After you receive your notice, or you conduct a follow up inspection and identify a child under six resides in a unit:

Owners must:

- Inspect the unit and common areas for potential lead-based paint hazards. This can be done by anyone under your employ but HPD highly recommends that staff complete the [Visual Assessment](#) training.
- You can use HPD's [sample visual investigation forms](#) or design your own form to capture findings of the inspection.
- Share a copy of the inspection report with the tenant, you can use HPD's [sample forms](#) or design your own form.

Retain all records related to notices, investigations, and repairs for at least 10 years.

You find deteriorated during your inspection:

If peeling paint is found on a surface with no lead documentation, owners must:

- Presume it contains lead and hire an EPA-certified contractor to remediate safely.

- Test the paint and keep documented evidence if the lead content is below 0.5 mg/cm².
- Follow Safe Work Practices if more than two square feet of lead-based paint or paint with unknown lead content is disturbed in a unit or common area where a child under 6 resides.
- Certified contractors must be used for all work involving lead hazards.
- Owners must maintain proof of compliance.

Retain all records related to notices, investigations, and repairs for at least 10 years.

What are the safe work practice requirements?

Review HPD's [Webinar on Safe Work Practices](#) for detailed guidance.

If you have additional questions, visit [Lead-Based Paint - HPD](#) or contact 212-863-5501 for more Lead Information.

Thank you for your attention on this matter.