

Bulletin to Property Owners – May 2021

Dear Property Owners,

The Department of Housing Preservation and Development (HPD) periodically provides updates on new legislation and information on available materials and resources to residential building owners to support compliance with the New York City Housing Maintenance Code, the New York State Multiple Dwelling Law and other relevant city codes. 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.

Property Registration

Property owners of residential buildings are required by law to register annually with HPD. The next property registration cycle is expected to begin on June 1st, 2021 and end on August 31st this year. Buildings are required to be registered if that residential property is a multiple dwelling (3+ residential units), regardless of whether the owner resides at the premises, or a private dwelling (1-2 residential units) if neither the owner nor the owner's immediate family resides there. Building registrations must also be filed whenever ownership changes or whenever the information on a valid registration changes (example, new managing agent or site management). HPD uses the contact information supplied in the registration for all official notifications, sending out general information and in the event of an emergency at the property.

You will receive an email from HPD once the new registration forms are available. You can immediately go online to our Property Registration Online System, update any information that is needed to be changed, pay the \$13 registration fee to DOF and print the form immediately. All that's left to do is sign and date (owner and agent) and mail to HPD as outlined on the form. It's easy to access and quick to use. Register early to ensure that your form is processed in time to meet the deadline! Questions about registration can be sent to register@hpd.nyc.gov. Visit the [HPD webpage](#) for more information.

Work With Us To Help House New Yorkers

New York City landlords have an opportunity to fill vacancies and boost their operating revenue while serving New Yorkers in need of help. The Department of Social Services (DSS) offers City-funded rental subsidies to households exiting the shelter system. These families and individuals have rental subsidies that make up the difference between the rent and what they would be able to

pay on their own. The City may also pay brokers' fees on behalf of eligible clients and, in some instances, a bonus to landlords for identifying units.

In this challenging economic time, renting to DSS clients can help stabilize landlords' rental income. Because the City is paying the majority of the rent, and that share can increase if the tenant's income drops, City rental subsidies can help insulate landlords from uncertainty.

More information about City rental subsidies can be found here:

<https://www1.nyc.gov/assets/hra/downloads/pdf/rent-subsidy-flyer.pdf>. If you have an apartment to lease, please call the Public Engagement Unit's Home Support Line at 929-221-0047 or fill out the online form at <http://nyc.gov/homesupportunit>.

Window Guards Save Lives

Each year, young children are injured or die in falls from unguarded windows. **These are preventable deaths and injuries.** As temperatures rise and windows are opened, the Department of Health and Mental Hygiene (DOHMH), the NYC Administration for Children's Services (ACS), and the Department of Housing Preservation and Development (HPD) are urging landlords, homeowners and tenants to take action to prevent window falls. Properly installed window guards can prevent children from falling out of open windows. Since February 2021, three children 10 years of age and younger have fallen from windows that did not have window guards and sustained non-fatal injuries.

[Local Law 57](#) requires property owners to provide and properly install approved window guards on all windows, including first floor bathrooms and windows leading onto a balcony or terrace in an apartment where a child 10 years of age or younger resides and in each common area window, if any, in such buildings. The exceptions to this law are windows that open onto a fire escape and windows on the first floor that are a required secondary exit in a building in which there are fire escapes on the second floor and up. For more information on window guard installations for different types of windows, go to [Window Guards Landlord - NYC Health](#).

The law also requires owners to send an [Annual Notice](#) to tenants of multiple dwellings (buildings of 3 or more apartments) to determine if window guards are required. The window guard annual notice form for multiple dwellings is combined with the annual notice form for lead-based paint required under Local Law 1 of 2004. See the February 2021 bulletin for more information on the Annual Notice if you have not already completed that process.

Remediate Mold Conditions Properly

Owners of residential properties with 10 or more units are required to hire a [New York State Department of Labor-licensed mold assessor and remediator](#) (these two contractors must be completely independent of each other) to assess and remediate conditions whenever there is more than 10 square feet of mold. To find a licensed mold contractor in your area, use the NYS

Department of Labor's [Licensed Mold Contractors Search Tool](#). These licensed workers must comply with New York City Administrative Code section 24-154 and New York State Labor Law Article 32.

[Local Law 61 of 2018](#) established minimum standards for carrying out mold assessment, mold abatement and mold remediation for buildings that contain 10 or more dwelling units or are located on a zoning lot that contains 25,000 or more square feet of non-residential floor area. The law also requires the person holding a mold remediation license to file a Mold Remediation Work Plan Notification Form **and** the Mold Remediation Work Plan with the NYC Department of Environmental Protection (DEP). The person holding a mold assessment license is required to file a Post-Remediation Assessment Form and Mold Post-Remediation Certification. **These forms are available on the DEP website (<https://www1.nyc.gov/site/dep/environment/mold-abatement.page>) and the contractors must file them online.** If the contractor has any problems submitting these forms, they should contact moldhelp@dep.nyc.gov.

The penalties for the property owner for having work conducted without the proper filings range from \$800 to \$10,000. The link to the DEP filing page is <https://www1.nyc.gov/site/dep/environment/mold-abatement.page>.

Copies of these filing receipts are required to be provided to the owner by the contractors after filing, and HPD requires copies of these same documents to be filed with a Certification of Correction for Class B and Class C mold violations issued in buildings with 10 or more units.

Lead Based Paint Inspections: Violations for Failure to Comply with Turnover Requirements

HPD is enforcing the turnover requirement during all inspections where a child under six resides. In units where a child under six resides AND there is either positive or presumed lead-based paint on deteriorated window and door friction surfaces AND where the tenant confirms turnover occurred after August 2, 2004 (the effective date of Local Law 1), HPD will issue a new violation with order #621 or 622. These violations require that the apartment meet the requirements of turnover by removing lead-based paint on **all window and door friction surfaces in the unit** within 21 days. This may include window and door friction surfaces that are not posing an immediate hazard at the time of the inspection but would have been required to have been abated at the time of turnover. The owner must separately certify properly both the violation for the lead-based paint hazard observed on the specific window or door friction surface (violation order #'s 616 or 617) **and** the completion of the turnover work on all window and door friction surfaces (621 or 622).

The owner has an opportunity to request a postponement of the correction date for all violations by carefully following the instructions provided with the Notice of Violation. For order #621, the owner may also contest the violation by providing XRF testing showing that none of the window or door friction surfaces are positive for lead-based paint.

The civil penalty for failure to comply with these turnover violations is \$250 per day per violation, up to a maximum of \$10,000.