

1 RCNY §102-06

CHAPTER 100

Subchapter B Enforcement

§102-06 Homeowner resolution program. Owners of one- and two-family homes who have not received any prior violations at the property will have an opportunity to correct certain violating conditions prior to receiving a notice of violation and associated penalties.

- (a) **Applicability.** The homeowner resolution program applies to owners of one- and two-family homes, whether or not they occupy those homes, to whom prior Department notices of violations have not been issued at the property within the past five years. The program shall also apply to new owners, where the violations on the property were issued within the past five years to a prior owner.
- (b) **Eligible violations.** This program covers violations classified as Class 1, Class 2 or Class 3 in subdivision (k) of section 102-01 of these rules. Multiple violating conditions observed on the same date are considered as one violation for the purposes of this program.
 - Exceptions.** This section does not apply to Class 1 violations for illegal conversions as described in section 28-210.1 of the Administrative Code and Class 1 violations that lead to death or serious injury.
- (c) **Request for corrective action.** Where a violating condition is observed at a property that is part of this program, the commissioner will issue a request for corrective action, giving the owner 60 days to correct the condition.
- (d) **Failure to correct condition.** If, upon reinspection at the expiration of the 60-day correction period, an inspection finds that the violating condition has not been corrected, a notice of violation will be issued to the owner.
- (e) **Fee.** In addition to receiving a notice of violation, for Class 1 violations as described in subdivision (b), the owner will be charged a fee for the inspection that results in the issuance of such notice of violation, as provided in section 101-03 of these rules.
- (f) **Removal from program.** An owner who receives a notice of violation after either failing to correct the violating condition within the provided timeframe or failing to provide access to an inspector to determine if the violating condition has been corrected is no longer eligible for this program and must comply with the requirements in section 102-01 of these rules. The violating condition must still be corrected and any applicable penalty associated with any such notice of violation issued must be paid.