

## CHAPTER 7

### ADJUDICATORY HEARINGS AND VIOLATION FINES AND PENALTIES

**§7-01 Definitions.**

**§7-02 Adjudications seeking civil fines.**

**§7-03 Mandatory fines and penalties.**

**§7-04 Fines for unspecified violations of Health Code Articles 43 and 47.**

**§7-05 Escalation of fines for rodent violations.**

**§7-06 Standing water violations.**

**§7-07 Fines for other repeat violations.**

**§7-08 Defaults.**

**§7-09 Other adjudications.**

**§7-10 Submitting proof of correction for eligible first-time violations.**

**§7-11 Acceptance of proof of correction for eligible first-time violations.**

**Appendix 7-A Penalty Schedule**

**§7-01 Definitions.**

When used in this Chapter, the following terms have the following meanings:

**Administrative Code** or **Admin. Code** means the Administrative Code of the City of New York.

**Charter** means the New York City Charter.

**Cure** means that the respondent has submitted proof of having corrected a first-time violation and the Department has accepted such proof.

**Environmental Control Board** means the board that exists in the OATH Hearings Division pursuant to Charter §1049-a.

**First-time violation** means a violation of law, listed in Appendix 7-A of this Chapter, committed by a respondent for the first time and cited on a summons that either is pending or has not been adjudicated by OATH as defaulted or sustained.

**NYCHC** or **Health Code** means the New York City Health Code, found in Title 24 of the Rules of the City of New York.

**NYSPL** means the New York State Public Health Law.

**OATH** means the New York City Office of Administrative Trials and Hearings (OATH).

**OATH Trials Division** means the tribunal of OATH, established by Charter §1048(1) to conduct adjudicatory hearings for all agencies of the City of New York.

**OATH Hearings Division** includes the tribunal established by the Board of Health pursuant to Charter §558 and transferred to OATH by Mayoral Executive Order 148 (2011).

**Premises** means real property consisting of a building and land on which it is situated. "Same premises" refers to (i) a specific building, or (ii) a group of buildings co-located in a development owned by the same entity. "*Same premises*" means (i) a specific building, or (ii) a group of buildings co-located in a development owned by the same entity.

**RCNY** means the Rules of the City of New York.

**Summons** means a document, including a notice of violation, issued by the Department to a respondent, that specifies the charges forming the basis of an adjudicatory proceeding at the Office of Administrative Trials and Hearings.

**§7-02 Adjudications seeking civil fines.**

In accordance with Charter §§1041 and 1046, adjudicatory hearings commenced by service of a civil summons or notice of violation seeking a civil fine or monetary penalty for violations of State and local law enforced by the Department shall be conducted by the OATH Hearings Division.

**§7-03 Mandatory fines and penalties.**

- (a) *Fixed penalties.* When a monetary fine or penalty for a violation enforced by the Department is specified in the Health Code, a rule of the Department, including in Appendix 7-A of this Chapter, or in any other applicable law, a hearing officer must impose that fine or penalty if the hearing officer sustains the violation.
- (b) *Other Health Code violations.* Fines imposed for Health Code violations that are not specified in Appendix 7-A of this Chapter or in another law or rule must be within the range provided in Health Code §3.11 or a successor provision.

**§7-04 Fines for unspecified violations of Health Code Articles 43 and 47.**

The penalty for a violation of any provision of Health Code Article 47 (Child Care Programs) or Article 43 (School-Based Programs for Children Ages Three Through Five) that is not listed in Appendix 7-A of this Chapter shall be \$200. The penalty must be doubled to \$400 if the hearing officer finds the respondent in default.

**§7-05 Escalation of fines for rodent violations.**

Pursuant to Administrative Code §17-133.1, the standard fine for a violation of §151.02 of the Health Code that pertains to the eradication or elimination of rodents, rodent harborages or other rodent related nuisances must be \$300. The fine for each subsequent violation at the same premises and under the same ownership or control within a two-year period must be double the amount of the penalty for the previous violation but may not exceed the maximum fine for any Health Code violation.

**§7-06 Standing water violations.**

The penalty for a violation of Health Code §151.03 shall vary depending on whether the accumulation of standing water that is the basis of the violation is determined to be minor, moderate or extensive.

- (a) *Minor violations* consist of small amounts of standing water and decomposing matter in one or more outdoor containers with a diameter of three to 24 inches and a capacity of five or fewer gallons of water. Examples of types of containers include trash cans, buckets, birdbaths, fountains, roof gutters and roof puddles and in accumulations of one to four tires.
- (b) *Moderate violations* consist of larger amounts of standing water and decomposing matter than the amounts stated for minor violations. These include ponded water accumulations of less than 10 square feet. Examples of where this amount of water and decomposing matter may be found include ditches, swimming pool covers, ponds, outdoor containers without lids holding five or more gallons of water and in accumulations of five to 20 tires.

- (c) *Extensive violations* consist of standing water and decomposing matter accumulations covering 10 or more square feet. Examples of where this amount of water and decomposing matter may be found include open foundation construction sites, swimming pools with stagnant untreated or improperly treated water and in accumulations of more than 20 tires.

**§7-07 Fines for other repeat violations.**

- (a) *Summons issued to the owner or other person in control of premises.* For summonses alleging that the owner or person in control of a premises or regulated business has committed a “repeat violation” other than one provided for in §7-05 of this Chapter, the hearing officer must impose the fine listed in Appendix 7-A of this Chapter for a repeat violation if, within the previous 12 months, the respondent was found to have violated the same provision of law at the same premises.
- (b) *Summons issued to certain contractors.* For any summons alleging that a contractor committed a repeat violation of Health Code §173.14 by disturbing lead based paint or paint of unknown lead content while performing work in a premises, the hearing officer must impose the fine specified in Appendix 7-A of this Chapter for a repeat violation if the hearing officer determines that the contractor violated the same provision of law in any premises during the previous 12 months.
- (c) *Unproved repeat violation to be considered an initial violation.* If a hearing officer finds that a respondent committed the violation alleged in the summons, but that the violation is not a repeat violation because the same provision of law was not violated within the previous 12 months, the hearing officer must impose the fine listed in Appendix 7-A of this Chapter for an initial violation of that provision.

**§7-08 Defaults.**

If a respondent fails to appear to answer a summons and is found in default, the penalty imposed for a violation of the Health Code must be twice the amount set forth in Appendix 7-A of this Chapter or \$2,000, whichever is lower. Fines imposed when a respondent is found in default for violations of other provisions of law may not exceed the amount stated in Appendix 7-A of this Chapter.

**§7-09 Other adjudications.**

Pursuant to Charter §1048, the Commissioner delegates to the OATH Trials Division authority to conduct hearings of matters pertaining to the enforcement of State and local law within the jurisdiction of the Department where an OATH administrative law judge shall make and submit recommended findings of fact, decisions, determinations and orders to the Commissioner who shall make final findings, determinations and orders in accordance with Article 5 of the Health Code or other applicable law. Such hearings include but are not limited to matters where a respondent must be provided with a hearing or an opportunity to be heard and show cause why the Commissioner should not issue an order or take other action (i) to suspend or revoke a license, permit or registration of a business or activity whose operation or conduct is deemed detrimental to the public health; (ii) to abate nuisances or other detrimental health conditions, including closing, padlocking and sealing premises deemed a public nuisance; (iii) to require an entity to cease and desist from specific acts that endanger public health; or (iv) with respect to Department employee matters pursuant to New York Civil Service Law.

**§7-10 Submitting proof of correction for eligible first-time violations.**

- (a) Submission of proof of correction must be in writing in a form approved or provided by the Department.
- (b) The proof must be submitted to the Department electronically or in person within seven (7) calendar days of the date the violation was issued as recorded on the summons.
- (c) The proof must be affirmed by the permittee or their authorized representative that it is complete and accurate to the best of such person's knowledge.
- (d) Submission of any false statements in support of a proof of correction may be subject to penalties prescribed for violations of Health Code § 3.19 and other applicable law.
- (e) A permittee whose first-time violation is pending at OATH for adjudication is not eligible to submit a proof of correction for a subsequent identical violation.

**§7-11 Acceptance of proof of correction for eligible first-time violations.**

- (a) The Department must accept proof of correction if it determines that the proof is adequately documented and submitted timely in accordance with § 7-10 of this Chapter. Acceptance of proof of correction constitutes a cure and an admission of the violation for all purposes, except as provided in subdivision (b) of this section.
- (b) A first-time violation whose proof of correction has been accepted by the Department will not be subject to a civil penalty.
- (c) The determination of whether a violation is a first-time violation shall be based solely on the records of the Department.
- (d) The Department may require further documentation in addition to the proof of correction and may inspect the establishment or take any other action as it deems necessary before acceptance or rejection of such proof.
- (e) Nothing in this Chapter limits the authority of the Department to conduct other inspections or take any other action it deems necessary to enforce any provision of law within the jurisdiction of the Department.

**APPENDIX 7-A**  
**PENALTY SCHEDULE**

<b>Section of Law</b>	<b>Violation Description</b>	<b>Standard Penalty</b>	<b>Default Penalty</b>
NYCHC 3.05	Failing to comply with Department, Board of Health or Commissioner's order	\$1,000	\$2,000
NYCHC 3.07	Failing to take reasonable precautions to protect health and safety	\$1,000	\$2,000
NYCHC 3.09	Failing to abate or remediate nuisance	\$1,000	\$2,000
NYCHC 3.11(b)	Operating a business or conducting an activity without a currently valid permit	\$1,000	\$2,000
NYCHC 3.15	Interfering with or obstructing Department staff in performing duties, or offering a bribe to Department staff	\$1,000	\$2,000
NYCHC 3.17	Notice or order of Department, Board of Health or Commissioner mutilated, obstructed or removed	\$1,000	\$2,000
NYCHC 3.19	Offering or making false, misleading statements or documents	\$1,000	\$2,000
NYCHC 11.29	Owning or harboring a dog, cat or horse not immunized against rabies	\$500	\$1,000
NYCHC 43.05	Failure to file required notice	\$1,000	\$2,000
NYCHC 43.09(a)	Line of sight supervision not maintained	\$300	\$600
NYCHC 43.09(b)	Minimum staff to child ratios not maintained	\$300	\$600
NYCHC 43.11(a)	Ill staff not excluded	\$300	\$600
NYCHC 43.13(c)	No staff fingerprint, criminal record review	\$300	\$600
NYCHC 43.13(e)	Prohibited staff hired, retained or allowed on premises	\$300	\$600
NYCHC 43.13(g)(1)	Failure to take required action in response to criminal record of an employee	\$300	\$600
NYCHC 43.13(g)(3)	Prohibited staff allowed to have unsupervised contact with children	\$300	\$600
NYCHC 43.15(a)	No corrective action plan when required	\$300	\$600

NYCHC 43.15(b)	Corrective action plan inadequate	\$300	\$600
NYCHC 43.15(c)	Corrective action plan not available for inspection	\$300	\$600
NYCHC 43.19(f)	Failure to exclude child who is carrier of communicable disease in accordance with Article 11	\$300	\$600
NYCHC 43.21(b)	Failure to provide emergency medical care to injured/ill child	\$300	\$600
NYCHC 43.23(b)(1)	Peeling lead based paint or paint of unknown lead content on a surface	\$400	\$800
NYCHC 43.23(b)(2)	Peeling lead based paint or paint of unknown lead content not abated	\$400	\$800
NYCHC 43.23(b)(3)	Children present in area undergoing abatement or other work that disturbs paint	\$600	\$1,200
NYCHC 43.24(a)	Drinking water not tested for lead as required.	\$400	\$800
NYCHC 47.03(a)	Operating a child care program without a currently valid permit	\$1,000	\$2,000
NYCHC 47.05(b)	Number of children exceeds authorized capacity	\$300	\$600
NYCHC 47.09(b) Admin Code 17-1304(a)	Failure to disclose serious injury or death	\$1,000	\$2,000
NYCHC 47.19(c)	No staff fingerprint or criminal record review, and/or inquiry of the State Central Register of Child Abuse and Maltreatment (SCR)	\$300	\$600
NYCHC 47.19(g)	Failure to notify Department of indicated SCR report or death, injury, or lack of supervision of child attending a program	\$300	\$600
NYCHC 47.19(h)	Prohibited staff hired, retained or allowed to be on premises	\$300	\$600
NYCHC 47.21(a)	Corrective action plan not submitted within five business days	\$300	\$600
NYCHC 47.21(b)	Corrective action plan inadequate	\$300	\$600
NYCHC 47.23(a)	Constant and competent supervision of children not maintained at all times	\$300	\$600
NYCHC 47.27(f)	Ill child not excluded	\$300	\$600
NYCHC 47.29(b)	Failure to obtain emergency medical care for injured/ill child	\$300	\$600
NYCHC 47.33(a)	Ill staff not excluded	\$300	\$600
NYCHC 47.41(a)	Two means of egress not available	\$300	\$600

NYCHC 47.41(f)	Corridors, doorways, stairs or exits obstructed	\$300	\$600
NYCHC 47.43(a)	Drinking water not tested for lead as required.	\$400	\$800
NYCHC 47.57(b)	Safety, health hazards not eliminated in areas accessible to children	\$300	\$600
NYCHC 47.57(d)	Indoor air temperatures not maintained between 68° F and 72°F when outdoor temperature below 55°F	\$300	\$600
NYCHC 47.57(e)	Failure to take appropriate actions during a heat advisory or other severe weather incidents	\$300	\$600
NYCHC 47.57(f)	Areas used or occupied by children in the child care service not previously approved by DOHMH, FDNY and DOB	\$300	\$600
NYCHC 47.57(g)	Co-location in premises associated with environmental hazards	\$300	\$600
NYCHC 47.57(i)(2)	Inadequate supervision during aquatic activities	\$300	\$600
NYCHC 47.59	Failure to comply with fire safety rules	\$300	\$600
NYCHC 47.61(b)	Children provided unwholesome food or drinks	\$300	\$600
NYCHC 47.63(a)(1)	Peeling lead paint or paint of unknown lead content on a surface	4300	\$600
NYCHC 47.63(a)(2)	Peeling lead paint or paint of unknown lead content not abated or remediated	\$400	\$800
NYCHC 47.63(a)(7)	Children present or have access to a room undergoing abatement or remediation of lead paint or paint of unknown lead content	\$600	\$1,200
NYCHC 47.65(c)	Children not secured in age-appropriate safety seats or by safety belts	\$300	\$600
NYCHC 47.73(b)(2) Admin Code 17-1303	Availability of childcare service inspection information not posted*	\$500	\$1000
NYCHC 131.07(c)(2)	Commercial premises: insufficient heat; initial	\$300	\$600
NYCHC 131.07(c)(2)	Commercial premises: insufficient heat; repeat (#2 or more)	\$600	\$1,200
NYCHC 131.09	Commercial premises not properly maintained; initial	\$300	\$600
NYCHC 131.09	Commercial premises not properly maintained; repeat	\$600	\$1,200
NYCHC 131.09(a)	Commercial premises: failure to provide, maintain adequate lighting; initial	\$200	\$400
NYCHC 131.09(a)	Commercial premises: failure to provide, maintain adequate lighting; repeat	\$500	\$1,000

NYCHC 131.09(b)	Commercial premises: failure to provide, maintain adequate ventilation; initial	\$200	\$400
NYCHC 131.09(b)	Commercial premises: failure to provide, maintain adequate ventilation; repeat	\$500	\$1,000
NYCHC131.09(c)	Commercial premises: failure to maintain plumbing; initial	\$200	\$400
NYCHC 131.09(c)	Commercial premises: failure to maintain plumbing; repeat	\$400	\$800
NYCHC 131.09(d)(1)	Commercial premises: insufficient potable water; initial	\$250	\$500
NYCHC 131.09(d)(1)	Commercial premises: insufficient potable water; repeat	\$500	\$1,000
NYCHC 131.09(d)(2)	Commercial premises: insufficient hand wash sinks, liquid soap, drying devices; initial	\$200	\$400
NYCHC 131.09(d)(2)	Commercial premises: insufficient hand wash sinks, liquid soap, drying devices; repeat	\$500	\$1,000
NYCHC 131.09(d)(3)	Commercial premises: insufficient, inadequate utility sinks: initial	\$200	\$400
NYCHC 131.09(d)(3)	Commercial premises: insufficient, inadequate utility sinks; repeat	\$400	\$800
NYCHC 131.09(d)(4)	Commercial premises: insufficient, not maintained employee toilets; initial	\$200	\$400
NYCHC 131.09(d)(4)	Commercial premises: insufficient, not maintained employee toilets; repeat	\$500	\$1,000
NYCHC 131.09(e)	Commercial premises: floors not in good repair, not clean; initial	\$200	\$400
NYCHC 131.09(e)	Commercial premises: floors not in good repair, not clean; repeat	\$400	\$800
NYCHC 131.09(f)	Commercial premises: walls and ceilings not in good repair, not clean; initial	\$200	\$400
NYCHC 131.09(f)	Commercial premises: walls and ceilings not in good repair, not clean; repeat	\$400	\$800
NYCHC 131.09(g)	Commercial premises: premises not in good repair, not clean; initial	\$200	\$400
NYCHC 131.09(g)	Commercial premises: premises not in good repair, not clean; repeat	\$400	\$800
NYCHC 131.13(a)	Failure to control unsafe conditions – contaminants; initial	\$300	\$600
NYCHC 131.13(a)	Failure to control unsafe conditions – contaminants; repeat	\$600	\$1,200
NYCHC 131.13(b)	Failure to control unsafe conditions – ventilation; initial	\$300	\$600
NYCHC 131.13(b)	Failure to control unsafe conditions – ventilation; repeat	\$600	\$1,200
NYCHC 131.13(c)	Failure to control unsafe conditions – discarding refrigerators; initial	\$300	\$600



NYCHC 131.13(c)	Failure to control unsafe conditions – discarding refrigerators; repeat	\$600	\$1,200
NYCHC 131.17	Dry cleaning facilities: improper emissions levels; initial	\$500	\$1,000
NYCHC 131.17	Dry cleaning facilities: improper emissions levels; repeat	\$1,000	\$2,000
NYCHC 151.02(a)	Pests (other than rodents)	\$200	\$400
NYCHC 151.02(a)	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: first citation	\$300	\$600
NYCHC 151.02(a)	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#2 in 24 month period)	\$600	\$1,200
NYCHC 151.02(a)	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#3 in 24 month period)	\$1,200	\$2,000
NYCHC 151.02(a)	Failure to eliminate rodent infestation shown by active rodent signs: one or more live rodents, or rodent droppings, burrows, runways, tracks, rub marks or gnaw marks; in interior or exterior of premises: repeat (#4 or more in 24 month period)	\$2,000	\$2,000
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; initial	\$300	\$600
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; repeat (#2 in 24 month period)	\$600	\$1,200
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens, doors, and sills; repeat (#3 in 24 month period)	\$1,200	\$2,000
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodent infestation of premises via holes, gaps in floor, walls, ceiling, pipes, baseboards, screens,	\$2,000	\$2,000

	doors, and sills; repeat (#4 or more in 24 month period)		
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; initial	\$300	\$600
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#2 in 24 month period)	\$600	\$1,200
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#3 in 24 month period)	\$1,200	\$2,000
NYCHC 151.02(a)	Failure to eliminate conditions conducive to rodents, e.g., via interior and/or exterior debris, dense vegetation; repeat (#4 or more in 24 month period)	\$2,000	\$2,000
NYCHC 151.02(a)	Failure to properly and thoroughly eliminate conditions conducive to pests and to the presence of pests other than rodents or mosquitoes	\$300	\$600
NYCHC 151.02(b)	Failure to eliminate conditions conducive to pests, e.g., uncovered garbage cans or containers, garbage spillage, uncontained garbage	\$300	\$600
NYCHC 151.02(c)	Failure to comply with Department or Commissioner's order; pest management plan not complied with; no inspections and/or exterminator visits documented	\$1,000	\$2,000
NYCHC 151.02(c)	Failure to comply with Department or Commissioner's order; pest management plan not complied with; no notice to tenants posted or provided	\$1,000	\$2,000
NYCHC 151.02(d)	Failure to comply with Department or Commissioner's order; pest management plan not complied with; pests and/or conditions conducive to pests, access and harborage not eliminated	\$2,000	\$2,000
NYCHC 151.02(e)	Using pesticides alone in the management of pest infestations	\$300	\$600
NYCHC 151.03(a)	Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: minor violations	\$300	\$600

NYCHC 151.03(a)	Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: moderate violations	\$600	\$1,200
NYCHC 151.03(a)	Failure to eliminate standing water with decomposing matter and other conditions conducive to breeding and harborage of mosquitoes: extensive violations	\$1,200	\$2,000
NYCHC 161.01	Unlawfully keeping/selling/giving a wild or prohibited animal	\$500	\$1,000
NYCHC 161.01(a)(2)	Displaying/exhibiting wild or prohibited animal without valid permit	\$1,000	\$2,000
NYCHC 161.01(a)(2)	Failure to comply with animal exhibition conditions imposed by Commissioner	\$1,000	\$2,000
NYCHC 161.03	Failure to control dogs, other animals to prevent animal nuisance	\$200	\$400
NYCHC 161.04(b)	Permitting dog to be in public place without collar with currently valid license tag	\$200	\$400
NYCHC 161.05	Permitting dog to be in public place without leash or other restraint	\$200	\$400
NYCHC 161.09(a)	Operating a grooming parlor, boarding kennel, training establishment, or pet shop selling animals other than dogs or cats without a currently valid permit	\$1,000	\$2,000
NYCHC 161.09(b)	Constructing or operating an animal shelter without a currently valid permit	\$1,000	\$2,000
NYCHC 161.09(d)	Operating a commercial stable for horses without a currently valid permit	\$1,000	\$2,000
NYCHC 161.09(e)	Selling animals whose possession is prohibited by NYCHC 161.01	\$1,000	\$2,000
NYCHC 161.09(f)	No certificate of completion of small animal care and handling course	\$400	\$800
NYCHC 161.09(g)	Guard dog not registered with Department	\$1,000	\$2,000
NYCHC 161.09(g)(1)	Guard dog not microchipped	\$200	\$400
NYCHC 161.09(g)(2)	Guard dog warning sign not posted	\$500	\$1,000
NYCHC 161.13	Self-inspection reports not maintained or provided to the Department	\$200	\$400
NYCHC 161.15(a)	Animal handling/care activity in residential/dwelling unit	\$200	\$400
NYCHC 161.15(b)	Failure to comply with license requirements before transferring dog ownership	\$500	\$1,000
NYCHC 161.15(c)	Failure to maintain or submit required records	\$500	\$1,000
NYCHC 161.15(e)	Failure to maintain vaccination records	\$250	\$500

NYCHC 161.15(f)	Using cage, box or other dryer with heating element that is not hand-held	\$200	\$400
NYCHC 161.17	Dogs, cats over 3 months not kept in individual cages	\$200	\$400
NYCHC 161.21(b)	Exposed stable surfaces not kept clean	\$200	\$400
NYCHC 161.21(f)	Manure, other stable refuse not maintained in sanitary manner	\$200	\$400
NYCHC 161.21(h)	Stable yard not kept clean, not graded to prevent accumulation of liquid wastes	\$200	\$400
NYCHC 161.21(i)	Own, board, use, bring into NYC a horse not vaccinated against rabies	\$500	\$1,000
Admin. Code 17-197	Improper restraining animal out of doors	\$250	\$250
Admin. Code 17-377(b)	Permit not placed in a clean, transparent cover and clearly visible to the public*	\$100 per day	\$100 per day
NYCHC 173.13(a)(1)	Leaded paint, other leaded surface coatings, possessed, sold for consumer use; initial	\$250	\$500
NYCHC 173.13(a)(1)	Leaded paint, other leaded surface coatings, possessed, sold for consumer use; repeat	\$500	\$1,000
NYCHS 173.14(c)(1)(A)	Commencement notice not filed, not filed timely; initial	\$200	\$400
NYCHC 173.14(c)(1)(A)	Commencement notice not filed, not filed timely; repeat	\$400	\$800
NYCHC 173.14(c)(1)(B)	Commencement notice incomplete; initial	\$200	\$400
NYCHC 173.14(c)(1)(B)	Commencement notice incomplete; repeat	\$400	\$800
NYCHC 173.14(c)(2)(A)	EPA certified firms, workers not used for abatement work; initial	\$400	\$800
NYCHC 173.14(c)(2)(A)	EPA certified firms, workers not used for abatement work; repeat	\$800	\$1,600
NYCHC 173.14(c)(2)(B)(i)(aa)	EPA certified firms not used for non-abatement work; initial	\$350	\$700
NYCHC 173.14(c)(2)(B)(i)(aa)	EPA certified firms not used for non-abatement work; repeat	\$700	\$1,400
NYCHC 173.14(c)(2)(B)(i)(bb)	Trained workers not used for non-abatement work; initial	\$400	\$800
NYCHC 173.14(c)(2)(B)(i)(bb)	Trained workers not used for non-abatement work; repeat	\$800	\$1,600
NYCHC 173.14(c)(2)(B)(i)(cc)	Clearance dust wipe personnel not trained for non-abatement work; initial	\$300	\$600
NYCHC 173.14(c)(2)(B)(i)(cc)	Clearance dust wipe personnel not trained for non-abatement work; repeat	\$600	\$1,200
NYCHC 173.14(c)(2)(B)(ii)(aa)	Trained workers not used for non-abatement work (2-100ft <sup>2</sup> ); initial	\$400	\$800
NYCHC 173.14(c)(2)(B)(ii)(aa)	Trained workers not used for non-abatement work (2-100ft <sup>2</sup> ); repeat	\$800	\$1,600

NYCHC 173.14(c)(2)(B)(ii)(bb)	Trained clearance dust wipe personnel not used for non-abatement work (2-100ft <sup>2</sup> ); initial	\$300	\$600
NYCHC 173.14(c)(2)(B)(ii)(bb)	Trained clearance dust wipe personnel not used for non-abatement work (2-100ft <sup>2</sup> ); repeat	\$600	\$1,200
NYCHC 173.14(c)(2)(B)(iii)	Trained clearance dust wipe personnel not used for turnover work; initial	\$1,000	\$2,000
NYCHC 173.14(c)(2)(B)(iii)	Trained clearance dust wipe personnel not used for turnover work; repeat	\$2,000	\$2,000
NYCHC 173.14(c)(3)(A)	Lead paint remediation records not maintained; initial	\$500	\$1,000
NYCHC 173.14(c)(3)(A)	Lead paint remediation records not maintained; repeat	\$1,000	\$2,000
NYCHC 173.14(d)(1)(A)	Failure to control leaded dust dispersal; initial	\$650	\$1,300
NYCHC 173.14(d)(1)(A)	Failure to control leaded dust dispersal; repeat	\$1,300	\$2,000
NYCHC 173.14(d)(1)(B)	No clean changing area; area not segregated from work area; initial	\$200	\$400
NYCHC 173.14(d)(1)(B)	No clean changing area; area not segregated from work area; repeat	\$400	\$800
NYCHC 173.14(d)(2)(A)	Prohibited method used: open flame burning/torching; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(A)	Prohibited method used: open flame burning/torching; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(2)(B)	Prohibited method used: machine sanding/grinding without HEPA attachment; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(B)	Prohibited method used: machine sanding/grinding without HEPA attachment; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(2)(C)	Prohibited method used: abrasive blasting without HEPA attachment; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(C)	Prohibited method used: abrasive blasting without HEPA attachment; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(2)(D)	Prohibited method used: heat gun over 1100°F or paint charring; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(D)	Prohibited method used: heat gun over 1100°F or paint charring; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(2)(E)	Prohibited method used: dry sanding; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(E)	Prohibited method used: dry sanding; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(2)(F)	Prohibited method used: improper use of paint stripper; initial	\$950	\$1,900
NYCHC 173.14(d)(2)(F)	Prohibited method used: improper use of paint stripper; repeat	\$1,900	\$2,000
NYCHC 173.14(d)(3)(A)	Improper use of tools or materials; initial	\$350	\$750

NYCHC 173.14(d)(3)(A)	Improper use of tools or materials; repeat	\$700	\$1,400
NYCHC 173.14(d)(3)(B)	Surfaces not sealed, repainted after work; initial	\$300	\$600
NYCHC 173.14(d)(3)(B)	Surfaces not sealed, repainted after work; repeat	\$600	\$1,200
NYCHC 173.14(d)(3)(C)	Underlying conditions not repaired; initial	\$350	\$700
NYCHC 173.14(d)(3)(C)	Underlying conditions not repaired; repeat	\$700	\$1,400
NYCHC 173.14(d)(3)(D)	Painted doors, windows not adjusted; initial	\$200	\$400
NYCHC 173.14(d)(3)(D)	Painted doors, windows not adjusted; repeat	\$400	\$800
NYCHC 173.14(d)(3)(E)	Required work area prep not completed prior to commencement of remediation; initial	\$200	\$400
NYCHC 173.14(d)(3)(E)	Required work area prep not completed prior to commencement of remediation; repeat	\$400	\$800
NYCHC 173.14(d)(4)	Failure to offer relocation to tenant; initial	\$200	\$400
NYCHC 173.14(d)(4)	Failure to offer relocation to tenant; repeat	\$400	\$800
NYCHC 173.14(e)(1)(A)(i)	Notice of work commencement not posted at dwelling, unit entrances; initial	\$500	\$1,000
NYCHC 173.14(e)(1)(A)(i)	Notice of work commencement not posted at dwelling, unit entrances; repeat	\$1,000	\$2,000
NYCHC 173.14(e)(1)(A)(ii)	Warning signs not posted; initial	\$1,000	\$2,000
NYCHC 173.14(e)(1)(A)(ii)	Warning signs not posted; repeat	\$2,000	\$2,000
NYCHC 173.14(e)(1)(B)	Occupant belongings not removed, protected before commencing work; initial	\$200	\$400
NYCHC 173.14(e)(1)(B)	Occupant belongings not removed, protected before commencing work; repeat	\$400	\$800
NYCHC 173.14(e)(1)(C)	Forced air vents not sealed; initial	\$400	\$800
NYCHC 173.14(e)(1)(C)	Forced air vents not sealed; repeat	\$800	\$1,600
NYCHC 173.14(e)(1)(D)	Work area entrance not, inadequately sealed off; initial	\$400	\$800
NYCHC 173.14(e)(1)(D)	Work area entrance not, inadequately sealed off; repeat	\$800	\$1,600
NYCHC 173.14(e)(1)(E)	Floors not covered; initial	\$400	\$800
NYCHC 173.14(e)(1)(E)	Floors not covered; repeat	\$800	\$1,600
NYCHC 173.14(e)(1)(F)	Windows, other openings not required for ventilation, not sealed; initial	\$400	\$800
NYCHC 173.14(e)(1)(F)	Windows, other openings not required for ventilation, not sealed; repeat	\$800	\$1,600
NYCHC 173.14(e)(1)(G)	Occupants not instructed to avoid work area; initial	\$200	\$400
NYCHC 173.14(e)(1)(G)	Occupants not instructed to avoid work area; repeat	\$400	\$800
NYCHC 173.14(e)(1)(H)	Hazardous materials not labeled; material safety data sheets not available; initial	\$350	\$700
NYCHC 173.14(e)(1)(H)	Hazardous materials not labeled; material safety data sheets not available; repeat	\$700	\$1,400

NYCHC 173.14(e)(1)(I)	Clean up and lead dust clearance testing not conducted as required; initial	\$900	\$1,800
NYCHC 173.14(e)(1)(I)	Clean up and lead dust clearance testing not conducted as required; repeat	\$1,800	\$2,000
NYCHC 173.14(e)(1)(I)(i)	Daily clean up not performed; initial	\$700	\$1,400
NYCHC 173.14(e)(1)(I)(i)	Daily clean up not performed; repeat	\$1,400	\$2,000
NYCHC 173.14(e)(1)(I)(i)(aa)	Daily clean up: large debris improperly disposed of; initial	\$700	\$1,400
NYCHC 173.14(e)(1)(I)(i)(aa)	Daily clean up: large debris improperly disposed of ; repeat	\$1,400	\$2,000
NYCHC 173.14(e)(1)(I)(i)(bb)	Daily clean up: small debris improperly disposed of; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(i)(bb)	Daily clean up: small debris improperly disposed of; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(i)(cc)	Daily clean up: adjacent areas to work areas not, improperly cleaned; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(i)(cc)	Daily clean up: adjacent areas to work areas not, improperly cleaned; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(i)(dd)	Hazardous materials, contaminated supplies improperly stored; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(i)(dd)	Hazardous materials, contaminated supplies improperly stored; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(ii)	Final clean up not performed; initial	\$900	\$1,800
NYCHC 173.14(e)(1)(I)(ii)	Final clean up not performed; repeat	\$1,800	\$2,000
NYCHC 173.14(e)(1)(I)(ii)(aa)	Final clean up inadequate: failure to wait one hour after work completed; initial	\$300	\$600
NYCHC 173.14(e)(1)(I)(ii)(aa)	Final clean up inadequate: failure to wait one hour after work completed; repeat	\$600	\$1,200
NYCHC 173.14(e)(1)(I)(ii)(bb)	Final clean up inadequate: no misting, sweeping, removal or sheeting; initial	\$600	\$1,200
NYCHC 173.14(e)(1)(I)(ii)(bb)	Final clean up inadequate: no misting, sweeping, removal or sheeting; repeat	\$1,200	\$2,000
NYCHC 173.14(e)(1)(I)(ii)(cc)	Final cleanup inadequate: no, improper first HEPA vacuuming; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(ii)(cc)	Final cleanup inadequate: no, improper first HEPA vacuuming; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(ii)(dd)	Final cleanup inadequate: surfaces not, improperly washed; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(ii)(dd)	Final cleanup inadequate: surfaces not, improperly washed; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(ii)(ee)	Final cleanup inadequate: no or improper second HEPA vacuuming; initial	\$650	\$1,300

NYCHC 173.14(e)(1)(I)(ii)(ee)	Final cleanup inadequate: no or improper second HEPA vacuuming; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(ii)(ff)	Final cleanup inadequate: surfaces not inspected, re-cleaned if necessary; initial	\$650	\$1,300
NYCHC 173.14(e)(1)(I)(ii)(ff)	Final cleanup inadequate: surfaces not inspected, re-cleaned if necessary; repeat	\$1,300	\$2,000
NYCHC 173.14(e)(1)(I)(iii)	No third party final inspection; initial	\$350	\$700
NYCHC 173.14(e)(1)(I)(iii)	No third party final inspection; repeat	\$700	\$1,400
NYCHC 173.14(e)(1)(I)(iv)	Dust wipe clearance test results not submitted to occupants, Department; initial	\$400	\$800
NYCHC 173.14(e)(1)(I)(iv)	Dust wipe clearance test results not submitted to occupants, Department; repeat	\$800	\$1,600
NYCHC 173.14(e)(1)(J)	Inadequate protection for occupants having access to work areas; initial	\$600	\$1,200
NYCHC 173.14(e)(1)(J)	Inadequate protection for occupants having access to work areas; repeat	\$1,200	\$2,000
NYCHC 173.14(e)(2)(A)	Warning signs not posted (2-100ft <sup>2</sup> ); initial	\$1,000	\$2,000
NYCHC 173.14(e)(2)(A)	Warning signs not posted (2-100ft <sup>2</sup> ); repeat	\$2,000	\$2,000
NYCHC 173.14(e)(2)(B)	Occupant belongings not removed, protected before commencing work (2-100ft <sup>2</sup> ); initial	\$500	\$1,000
NYCHC 173.14(e)(2)(B)	Occupant belongings not removed, protected before commencing work (2-100ft <sup>2</sup> ); repeat	\$1,000	\$2,000
NYCHC 173.14(e)(2)(C)	Floors not covered (2-100ft <sup>2</sup> ); initial	\$700	\$1,400
NYCHC 173.14(e)(2)(C)	Floors not covered (2-100ft <sup>2</sup> ); repeat	\$1,400	\$2,000
NYCHC 173.14(e)(2)(D)	Windows, other openings not required for ventilation not sealed (2-100ft <sup>2</sup> ); initial	\$700	\$1,400
NYCHC 173.14(e)(2)(D)	Windows, other openings not required for ventilation not sealed (2-100ft <sup>2</sup> ); repeat	\$1,400	\$2,000
NYCHC 173.14(e)(2)(F)	Hazardous materials not labeled; material safety data sheets not available (2-100ft <sup>2</sup> ); initial	\$350	\$700
NYCHC 173.14(e)(2)(F)	Hazardous materials not labeled; material safety data sheets not available (2-100ft <sup>2</sup> ); repeat	\$700	\$1,400
NYCHC 173.14(e)(2)(G)	Failure to adequately clean up, collect dust wipes (2-100ft <sup>2</sup> ); initial	\$400	\$800
NYCHC 173.14(e)(2)(G)	Failure to adequately clean up, collect dust wipes (2-100ft <sup>2</sup> ); repeat	\$800	\$1,600
NYCHC 173.14(e)(2)(H)	Improper temporary access protection (2-100ft <sup>2</sup> ); initial	\$600	\$1,200
NYCHC 173.14(e)(2)(H)	Improper temporary access protection (2-100ft <sup>2</sup> ); repeat	\$1,200	\$2,000
NYCHC 173.14(e)(3)(A)	Failure to properly prepare work area, work safely (turnover); initial	\$350	\$750



NYCHC 173.14(e)(3)(A)	Failure to properly prepare work area, work safely (turnover); repeat	\$700	\$1,400
NYCHC 173.14(e)(3)(B)	Failure to perform adequate clean up (turnover); initial	\$400	\$800
NYCHC 173.14(e)(3)(B)	Failure to perform adequate clean up (turnover); repeat	\$800	\$1,600
NYCHC 173.14(e)(3)(C)	Failure to perform adequate clearance dust wipes (turnover); initial	\$400	\$800
NYCHC 173.14(e)(3)(C)	Failure to perform adequate clearance dust wipes (turnover); repeat	\$800	\$1,600
Admin Code 17-1402	Non-compliant carpet or carpet cushion sold, offered for sale or installed; initial	\$250	\$500
Admin Code 17-1402	Non-compliant carpet or carpet cushion sold, offered for sale or installed; repeat	\$500	\$500
Admin Code 17-1403	Non-compliant carpet adhesive installed in building	\$250	\$500
Admin Code 17-1405	Required documentation not maintained and available for inspection	\$250	\$250
Admin Code 17-1407	Required carpet notice not posted in a conspicuous location, or not provided in written or electronic form	\$250	\$250
Admin Code 17-1703 (c)	Failure to conspicuously post required notices*	\$100 per day	\$100 per day
24 RCNY 30-03(c)	Required carpet documentation not provided within three (3) business days of request	\$250	\$250
24 RCNY 30-03(d)	Carpet receipt not provided to consumer	\$150	\$250
24 RCNY 30-04(a)	Posted carpet sign does not meet required specifications (8 ½" x 14" or larger; font size at least ½ inch high)	\$150	\$250
24 RCNY 30-04(b)	Carpet notice text does not conform to wording requirement	\$150	\$250
NYS PHL 1310	Failure to remove canine waste	\$250	\$250

\*Violation is subject to cure; see section 7-10 of this Chapter.