

**THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT
DISMISSAL REQUEST FORM**

1. BUILDING TO BE INSPECTED

Building Address: _____ Borough: _____

Number of Dwelling Units: _____ Property Registration Number: _____

Violation Numbers to Be Inspected:

ALL ONLY _____

2. REQUESTOR INFORMATION

Name (Print): _____ Requestor* is: Owner Managing Agent
(Check applicable box)

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: () _____ Email: _____

***The requestor must be a person designated on the Property Registration as the owner or managing agent. See instructions if this property is a condominium unit, cooperative unit or one- or two-family home that is not required to register.**

I am requesting a reinspection of the violations pending at this property I understand that my property should be in compliance with all requirements of the Housing Maintenance Code (HMC) and Multiple Dwelling Law (MDL). I have reviewed the attached list of common violations and understand that HPD Code Enforcement Inspectors may issue violations for these or any conditions which violate the HMC or MDL. I understand that by submitting this application, I am confirming that the building is ready for inspection at the earliest time that HPD can schedule the inspection.

Name (Printed): _____

Signature: _____ Date: _____

3. CONTACT INFORMATION (TO SCHEDULE INSPECTION)

NAME _____

PHONE () _____ EMAIL _____

CODE ENFORCEMENT BOROUGH OFFICES

- Manhattan: 94 Old Broadway, 7th Floor, New York, N.Y. 10027
- Bronx: 1932 Arthur Avenue, 3rd Floor, Bronx, N.Y. 10457
- Brooklyn: 701 Euclid Avenue, Brooklyn, N.Y. 11208
- Queens: 120-55 Queens Boulevard, 1st Floor, Kew Gardens N.Y. 11424
- Staten Island: Borough Hall, 10 Richmond Terrace, 2nd Floor, St. George, N.Y. 10301

THIS SECTION IS FOR CODE ENFORCEMENT USE ONLY

Date received: _____ Number of violations pending: _____ Inspection Report Due Date: _____

_____ Mail _____ Walk-In _____ Accepted _____ Rejected

Note: _____ This form was processed by: _____

The City of New York
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
Division of Code Enforcement

DISMISSAL REQUEST FORM INSTRUCTIONS

The Dismissal Request Program provides owners and managing agents with an opportunity to have their property inspected for the purpose of having corrected violations dismissed and no longer listed as open violations in the Department of Housing Preservation and Development's ("HPD") records.

A Dismissal Request form may be rejected by HPD when: there is no current or valid Property Registration for the building which is the subject of the form ("subject building"); there is an unpaid emergency repair charge for repairs performed by or on behalf of HPD; when the owner, managing agent, or subject building is the subject of pending HPD-related litigation; when the owner, managing agent, or subject building is the subject of an uncollected judgment arising from HPD-related litigation.

You should also submit all documents required for violation clearance. Beginning on page 3 of these instructions, you will find detailed instructions related to required documentation for the dismissal of certain violations. If the Dismissal Request form is accepted by HPD, the agency will use its best efforts to inspect the subject building as quickly as possible but within 45 business days of HPD's receipt of the Dismissal Request form when submitted between June 1st and September 30th or 90 business days of HPD's receipt of the Dismissal Request form when submitted between October 1st and May 31st. HPD will mail the results of the inspection to the requestor as soon as possible thereafter. A maximum of two attempts will be made to inspect all violations that are part of the Dismissal Request.

VIOLATIONS THAT ARE NOT INSPECTED WILL NOT BE DISMISSED AND WILL REMAIN AS OPEN VIOLATIONS IN HPD'S RECORDS. YOU MUST MAKE ALL EFFORTS TO ASSIST HPD INSPECTORS IN OBTAINING ACCESS. See Section IV to determine if the inspection meets the criteria for the post-Dismisssal Request inspection self-certification process, and the CV-1 form instructions for which violations may be eligible for this process. Note that false certifications made through this process are subject to the same penalties as any false certification. The CV-1 form can be found on pages 8 and 9 of this application.

A Dismissal Request inspection may, if conditions warrant, result in the issuance of additional violations. Again, please read the rest of these instructions carefully to understand what types of conditions the inspectors will be required to report.

Fees: Each Dismissal Request must be accompanied by a fee for a scheduled amount based on the dwelling classification and number of open violations at the time the Dismissal Request form is submitted to the Code Enforcement Borough Office, as follows:

Dwelling Classification	Fee Schedule
Private Dwelling (1-2 units).....	\$ 250
Multiple Dwelling (3+ residential units) with 1 - 300 open violations.....	\$ 300
Multiple Dwelling with 301 – 500 open violations.....	\$ 400
Multiple Dwelling with 501 or more open violations.....	\$ 500
Multiple Dwelling Active in the Alternative Enforcement Program (AEP)**	\$1000

**** Buildings in the Alternative Enforcement Program should not submit this form.** AEP Dismissal Requests require a different application and must be submitted (with the certified check or money order made payable to the NYC Department of Finance) to the Alternative Enforcement Program at 100 Gold Street, 5th Floor, New York, NY 10038. If you need that application, please contact AEP directly at 212-863-8262.

1. Completing the application

Section 1:

- ✓ Provide the address of the subject building (house number, street name and borough) and the number of dwelling units it contains.
- ✓ If the subject building has more than two dwelling units or two dwelling units but neither the owner nor his/her family reside at the property, you must indicate the Property Registration number. (For more information on Property Registration, go to www.nyc.gov/hpd.) If you are the owner of a one- or two-family home that is not required to register because you reside at the property, or you are a condominium or cooperative owner who is seeking violation dismissal only for violations in your apartment, please complete the Dismissal Request Affidavit of Ownership (included with this document) with your Dismissal Request submission.
- ✓ All violations on record will be inspected unless specific violations are indicated.

Section 2:

- ✓ Provide your name, mailing address, daytime telephone number, and e-mail address. The inspection results will be mailed via first class mail to this address. Indicate whether you are the owner or managing agent of the subject building by checking the appropriate box.
- ✓ Print your name, sign your name and date the form. A Dismissal Request form will only be accepted **if signed** by the owner or managing agent of the subject building.

Section 3:

- ✓ If the inspection(s) should be scheduled with someone else, indicate your authorized person's name, telephone number and email address.

Submission:

- ✓ Mail or deliver the completed Dismissal Request form with a **certified check or money order, made payable to the NYC Department of Finance**, in the proper amount following the fee schedule to the Code Enforcement Borough Office in the borough where the subject building is located. Indicate the Property Registration number on the check or money order.

Once HPD processes your form:

- ✓ If the application is acceptable, you will be notified, and an inspection will be scheduled with you. It is expected that when you submit this form, you are requesting an inspection as quickly as possible. It is your responsibility to ensure that HPD can gain access to as many locations requiring inspection for the observation of violations as possible.
- ✓ If the application is not acceptable, you will receive a rejection letter from HPD listing the reasons why the application is not acceptable. You may resubmit once the rejection reasons are addressed.

WARNING: Offering any type of benefit to a Housing Inspector in order to influence his or her official action is a crime. Housing Inspectors will report such offers to the City's Department of Investigation. Violators will be prosecuted.

2. Lead-Based Paint Violations

Lead-based Paint Hazard Violations: Dismissal Request

[HPDONLINE](#) (enter your building address and select **Overdue Lead-Based Paint Violations** from the left-hand column) can be used to determine whether HPD has already reinspected the lead-based paint violation. If HPD has already found the physical condition to be corrected, you only need to submit documents as instructed on the site. **HPD will only reinspect lead-based paint hazard violations which have not been previously observed to be corrected as part of this Dismissal Request.**

You are not required to submit verifying documents in advance of the Dismissal Request. If the inspector finds that the physical conditions have been addressed, you will receive a **Defect Letter** from HPD, instructing you on what documents are required and how to submit them to complete the violation dismissal.

Turnover Requirements: Violation Dismissal

Violation Order numbers 614, 621, 622, and 623 **require documentation from the owner and a re-inspection from the Lead-Based Paint Inspection Unit to confirm correction and are not processed as part of your Dismissal Request.** There is no fee for the dismissal of these violations, which require just the submission of documents to the Lead-Based Paint Unit. You can find out more about the required documents at <https://www1.nyc.gov/site/hpd/services-and-information/lead-based-paint.page>. Please contact the Audit Unit at 212-863-5501 option #5 if you require assistance.

Record Keeping: Violation Dismissal

Violation Order numbers 618, 619 and 620 do-not require a reinspection. To have recordkeeping violations dismissed, please supply the required documents directly to the Audit Unit. There is no fee for the dismissal of these violations. You can find out more about the required documents at <https://www1.nyc.gov/site/hpd/services-and-information/lead-based-paint.page>. If you require assistance, please contact the Audit Unit at 212-863-5501 Option #5.

3. Violations requiring documentation

Included among the outstanding violations for which you may request a Dismissal Request may be violations that require the submission of documents prior to dismissal. Below, please find outlined a description of these violations and an explanation of how you can comply with the violation. All HPD forms are available online at any Code Enforcement Borough Office or online at [Clear Violations – HPD \(nyc.gov\)](#).

The following violations will **not** be added to the Dismissal Request inspection because there is no physical condition to inspect. You must submit the required documents in order to have the violations removed.

Order Number	Forms/Documents Required
780 (failure to register)	File with this department a "Property Registration" form. You can complete this form online at www.nyc.gov/hpd , but the property owner and managing agent must sign and date the form appropriately and submit a signed copy to HPD. There is a \$13 fee associated with this form which can be paid to the Department of Finance. See HPD’s website at www.nyc.gov/hpd for more information about Property Registration.
1507 (bedbug annual filing)	Comply by going online to www.nyc.gov/hpd and searching Bedbugs . On the Bedbugs page will be a link to the filing portal under the Bed Bug Annual Report Requirement section. The webpage will also provide information about what other actions must be taken for compliance, including posting and distributing information to tenants post-filing.

The following violations will be added to the Dismissal Request inspection but you must submit the required documents in order to have the violations removed.

Order Number	Forms/Documents Required
491/494/495/741 (Alterations)	If you have legalized an alteration, you must provide plans and permits approved by the Department of Buildings. If you have removed the alteration and restored the area to the legal condition, you do not need to provide documents.
550 (mold)	For class B and class C mold violations issued after March 1, 2018, you are required to supply an Affidavit of Mold Assessment and Remediation, which is available at www.nyc.gov/hpd or by contacting the Borough Office . Depending on who completed the work, additional documentation is required as noted on the Affidavit. There are additional requirements for ALTERNATIVE ENFORCEMENT PROGRAM (AEP) buildings. Contact AEP at (212) 863-8262 to obtain details about required documents for that specific program.

4. Conditions for which violations will be issued during a Dismissal Request inspection

(This list is not exhaustive but can serve as a guide for the most common violations. For more information on requirements, see HPD’s ABC’s of Housing, which is available at our borough offices or online at www.nyc.gov/hpd or by calling 311.)

- Immediately hazardous violations, which represent an immediate hazard to any occupant
- Inadequate heat or hot water
- Missing/defective smoke detectors
- Missing/defective carbon monoxide detectors
- Missing/defective window guards if a child under 11 resides in the apartment
- Missing/defective window guards in the public areas if a child under 11 resides in any apartment in the building
- Lead-based paint if there is peeling paint in any apartment where a child under 6 resides
- Illegal window gates
- Double cylinder locks
- Improper or defective egress from the building
- Missing signage in the public areas (<https://www1.nyc.gov/site/hpd/services-and-information/required-signage.page>)
- Rodent or pest infestation
- Mold
- Self-closing apartment entrance and public area doors

Should violations be issued, you will receive the Notice of Violation at an address on your Property Registration (in most cases, at the address of your managing agent). In order to keep your violation record accurate, please correct and certify correction of the condition to the Department in a timely manner, following the instructions on the Notice. For more information about how to [eCertify](#) the condition, see HPD’s website (www.nyc.gov/hpd).

5. **Post-Dismissal Request Inspection: Self-Certification**

During a Dismissal Request inspection, if Code Enforcement inspectors gain access to at least 50% of the violations **AND** 75% of those violations are observed corrected after 2 attempted visits, pending violations that were not inspected may be dismissed through a self-certification (“CV-1”) process. All submissions of the CV-1 must be completed within 45 business days of the final date of Dismissal Request Inspection. To have violation(s) removed from the department’s record where the above condition is true, see further instructions and the Notice that must sent to the tenant on the pages 8 and 9, attached at the end of this Dismissal Request application.

**The City of New York
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
Division of Code Enforcement**

AFFIDAVIT OF OWNERSHIP

I, _____ (**print name**), swear or affirm under penalty of perjury as follows:

That I am: (CHECK THE APPLICABLE BOX)

- The owner of the private dwelling located at _____ (**address**). I or a family member reside at the dwelling and therefore I am not required to file a Property Registration form.

- The owner of a condominium unit located at _____ (**address**), apartment # _____ and therefore, I am not required to file a Property Registration form.

- The owner of shares of a cooperative that owns the property located at _____ (**address**), apartment # _____ and therefore I am not required to file a Property Registration form.

(Print Name)

(Signature)

State of _____, County of _____

Notary Stamp

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

(Notary Print Name)

(Notary Signature)

POST DISMISSAL REQUEST SELF-CERTIFICATION PROCESS

INSTRUCTIONS

During a Dismissal Request inspection, if Code Enforcement inspectors gain access to at least 50% of the violations **AND** 75% of those violations are observed corrected after 2 attempted visits, pending violations that were not inspected because of no access to the apartments may be dismissed through a self-certification (“CV-1”) process. All submissions of the CV-1 must be completed within 45 business days of the final date of Dismissal Request Inspection.

- The following violations cannot be dismissed through this self-certification process:
 - Violations that were written as order numbers 491, 495, 496, 497, 498, 499, 503, 521, 522, 526, 530, 550, 555, 610, 611, 612, 614, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 630, 631, 632, 701, 702, 703, 772, 790, 791, 1499, 1501, 1502, 1503, 1504, 1505, 1507, 1508, 1509.
 - Violations that concern overcrowding.
 - Violations that exist in a public area.
 - Violations in defect status, “I” order violations and violations that require submission of documentation
 - For Vermin orders 567, 568, and 569 unless you complete and submit an AF-6 (available at <https://www1.nyc.gov/site/hpd/services-and-information/indoor-allergen-hazards-mold-and-pests.page>) with this form
- Class I violations require a different process for dismissal. See the specific requirements for the compliance with the Class I violations in the Dismissal Request Instructions.

Completing and submitting the Post-Dismissal Request Certification of Violation Correction form

To have violation(s) removed from the Department’s record where there was no access for the inspector to observe the condition corrected, the Dismissal Request overall meets the criteria above and the violations are not excluded from the process as described above:

1. Complete a separate Certification of Violation Correction Form (CV-1) for each apartment where work has been done.
2. The registered owner or managing agent must sign and date Certification A, then make 2 copies of the form.
3. Send the original Certificate of Violation Correction Form to the tenant by Certified Mail/Return Receipt requested.
4. Complete certification B, including a signature from the registered owner or managing agent.
5. Send a copy of the Certificate of Violation Correction Form to the Chief Inspector, Borough Code Enforcement Office within ten (10) days of mailing to tenant and keep a copy for your records.
6. HPD may review your request, including attempting to contact the tenant in the apartment where the violation exists, and may audit your submission.
7. The violation will be dismissed if no objection is received or audit conducted.

**DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT
CERTIFICATE OF VIOLATION CORRECTION – NO ACCESS TO INSPECTOR**

PREMISES _____ Borough _____ Reg ID _____

TENANT'S NAME _____ Apartment _____

I, _____, am the Registered Owner or Registered
(Print Name)

Managing Agent of the above premises and certify that all the work necessary to remove the violations listed below in the above apartment has been completed.

DESCRIBE CONDITION	VIOLATION #	WORK DONE BY	DATE WORK COMPLETED

DATED: _____ (A) _____
Signature of Registered Individual Owner or Registered Managing Agent

NOTICE TO TENANT

If the occupant or tenant for any reason is in disagreement with the owner's certification, the occupant or tenant may make an objection by promptly notifying the office of the Chief Housing Inspector of the Borough in which the premises are located of the objection and by agreeing to a time for a re-inspection of the apartment. If you want to see all open violations in your apartment, go on-line to www.nyc.gov/hpd.

MANHATTAN 94 Old Broadway 7 th Floor New York, NY 10027 (212) 863-5030	THE BRONX 1932 Arthur Avenue Room 301 Bronx, NY 10457 (212) 863-7050	BROOKLYN 701 Euclid Avenue 1 st Floor Brooklyn, NY 11208 (212) 863-6620	QUEENS Borough Hall 120-55 Queens Blvd Kew Gardens, NY 11424 (212) 863-5990	STATEN ISLAND Borough Hall Room 224 Staten Island, NY 10301 (212) 863-8100
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CERTIFICATION OF MAILING

I certify that a copy of this Certification of Violation Correction and Notice to Tenant was mailed to the above named tenant on _____ (date). Attached is proof of certified mailing (the post-marked certified mail receipt).

DATED: _____ (B) _____
Signature of Registered Owner or Registered Managing Agent

ANY FALSE STATEMENTS IN THIS CERTIFICATION ARE PUNISHABLE BY IMPRISONMENT OF UP TO ONE YEAR AND/OR A FINE OF UP TO \$1,000 AND OTHER PENALTIES PROVIDED BY HOUSING MAINTENANCE CODE SECTIONS 27-2096, 27-2118, AND 27-2115.