

Leasing Space to Child Care Centers: Frequently Asked Questions for Property Owners

If you are a property owner, a child care center can be a valuable tenant. Leasing your property to child care providers can help New York City (NYC) expand child care access. Read this document to learn about the space requirements for child care centers and benefits of leasing your property to a child care center.

What is a child care center?

A child care center is any program that:

- Provides care to three or more children younger than age 6
- Operates at least five hours per week for more than 30 days in a one-year period

Are there tax benefits for leasing my property to a child care center?

Property owners who lease space to a new child care center or increase the number of seats at an existing child care center may be eligible for a property tax abatement.

For more information, visit nyc.gov/finance and search for **childcare center abatement**.

What are the location requirements for child care centers?

According to Article 47 of the NYC Health Code, the location must:

- Be in a building that is not also occupied by commercial or manufacturing establishments associated with environmental hazards, such as dry cleaners, gas stations, automotive dealerships or repair facilities, industries with hazardous emissions, or Superfund sites (Section 47.57, Part G)
- Have at least two exits on every floor or level, in addition to any fire escapes (Section 47.41, Part A)
- Be on or below the third floor, for programs serving children ages 24 months to 6 years, or on the ground level, for programs serving children younger than age 24 months (Section 47.41, Parts B and C)

For a complete list of the requirements described in Article 47, visit nyc.gov/health and search for **health code**.

What are the facility requirements for child care centers?

Once you have identified a child care provider as a potential tenant, confirm you and they will be able to meet these facility requirements:

- Child care rooms and facilities will be used only by children and staff in the program.
- There will be adequate ventilation, heat, lighting, and hot and cold running water.
- There will be adequate refrigeration and food storage space, if the children will be served snacks or meals.

The property must also meet these specifications:

- **Lead-free requirements:**
 - The site does not have lead-based paint.
 - Lead-in-water tests show levels below 15 parts per billion.

- **Exits, entrances and stairwells:**
 - All exits have clear, legible and illuminated exit signs.
 - Exterior doors of the facility have panic bars.
 - Entrances to the child care center are secured with passkey identification or other means that limit access to only staff, parents and other authorized people.
 - Doors to bathrooms, closets and other enclosed spaces cannot lock, including from the inside.
 - Stairways have low handrails and a protective barrier to prevent falls.
- **Sinks and toilets:**
 - There are enough sinks to wash, rinse and sanitize all utensils, dishes and other food contact surfaces.
 - There is at least one toilet and one sink for every 15 children at appropriate heights and located conveniently to classrooms.
 - Toilets for adults and toilets for children are in separate facilities.
 - Cross-connection or other plumbing hazards are not present.
- **Fire safety:**
 - Fire safety alarms and sprinklers are installed and meet requirements outlined in the NYC Construction Codes (available at nyc.gov/site/buildings/codes/nyc-code.page).
 - The child care center has working, unexpired and inspected fire extinguishers.
 - The child care center has working carbon monoxide and smoke detectors with clear and loud alarms.
- **Outside play areas:**
 - The outdoor play area is enclosed with a ground floor fence that is at least 5 feet high.
 - The outdoor play area, if it is a rooftop, has a fence that is 10 feet high with 45-degree inward angulation.
 - Resilient surfaces are installed under and around climbing and other elevated equipment to reduce the risk of serious injury from a fall.
- **Other potential hazards:**
 - There are window guards on all windows in all rooms, hallways and stairwells except for windows giving access to fire escapes.
 - Radiators, heating pipes and free-standing columns are protected or padded.

What are the maintenance requirements for child care centers?

Child care providers are required to maintain the facility. Some items may be the responsibility of the property owner. Routine facility maintenance for child care centers include:

- Paint on walls, ceilings and floors must be finished and maintained, with no peeling.
- The premises must be kept pest-free.

For more information about siting and operating a child care center, read:

- What Group Child Care Providers Should Know (nyc.gov/assets/doh/downloads/pdf/dc/group-child-care-center-compliance-guide.pdf)
- Regulations and Permits for Child Care Providers (nyc.gov/site/doh/business/permits-and-licenses/children-and-adolescents-childcare.page)