

# resolving violations

**Open violations can prevent an owner from selling or refinancing.**

**The NYC Construction Codes require owners to build and maintain their properties in safe condition. Inspectors issue Environmental Control Board (ECB) Notices of Violation or Department of Buildings (DOB) violations when property or construction doesn't comply with the Construction Codes, NYC Zoning Resolution and other applicable laws and rules.**

## ECB Violations

The most commonly issued violation is the ECB Notice of Violation. There are three classes of ECB violations: Class 1 (Immediately Hazardous); Class 2 (Major); and Class 3 (Lesser).

## Resolving ECB Violations

ECB violation information is included in the online Buildings Information System (BIS) and appears in property title searches. Open – or uncorrected – violations can prevent an owner from selling, refinancing or obtaining a new Certificate of Occupancy or Letter of Completion.

To resolve ECB violations:

- 1 Correct the conditions and submit a Certificate of Correction (AEU-2 form) to the Department's Administrative Enforcement Unit.** You must also provide supporting documentation.
- 2 Admit to the violation or attend the ECB hearing to contest the violation.** Owners who do not attend the hearing (or who don't have a representative there) may face default penalties up to \$25,000, depending upon the violation.
- 3 Pay any applicable penalties.** Violations remain open in BIS until the Department approves any Certificate of Correction submitted.

## DOB Violations

As with ECB violations, DOB violation information is public and will appear in a property title search. Open violations can prevent an owner from selling or refinancing. The Department will not issue new or amended Certificates of Occupancy or Letters of Completion when DOB violations remain active.

## Fines + Penalties

Some DOB violations may have fines attached, such as failure to file required annual boiler or elevator reports. However, there is no court appearance associated with a DOB violation. DOB violations issued for serious conditions may result in a Criminal Court summons being issued and prosecution.

## Resolving DOB Violations

Property owners must correct the issues listed in the DOB violation. Once completed, provide supporting documentation that shows the work has been performed to the unit that issued the violation. The team will then dismiss the violation. These units typically operate in the borough office where the property is located, though some units — such as Boilers and Elevators — may operate at the Department's headquarters in Manhattan.

## Buildings Information System

The Buildings Information System (BIS) at [nyc.gov/buildings](http://nyc.gov/buildings) provides complaint, violation and background information on nearly all of the 975,000 properties under the Department's jurisdiction.