

## CHAPTER 7

### ADJUDICATORY HEARINGS AND VIOLATION FINES AND PENALTIES

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**§7-01 Definitions.**

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

- (a) *Administrative Code* or *Admin. Code* refers to the Administrative Code of the City of New York.
- (b) *Charter* means the New York City Charter.
- (c) *Environmental Control Board* is the board that exists in the OATH Hearings Division pursuant to Charter §1049-a.
- (d) *NYCHC* or *Health Code* refers to the New York City Health Code, found in Title 24 of the Rules of the City of New York.
- (e) *NYSPHL* refers to the New York State Public Health Law.
- (f) *OATH Trials Division* is the tribunal of the Office of Administrative Trials and Hearings (OATH), established by Charter §1048(1) to conduct adjudicatory hearings for all agencies of the City of New York.
- (g) *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).
- (h) *Premises* refer to 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.
- (i) *RCNY* refers to the Rules of the City of New York.

**§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.

**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 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 47.19(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 47.57(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	300	600

		service not previously approved by DOHMH, FDNY and DOB		
	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	300	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 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	600	1,200

		interior or exterior of premises: repeat (#2 in 24 month period)		
	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, doors, and sills; repeat (#4 or more in 24 month period)	2,000	2,000
	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	1,000	2,000

		inspections and/or exterminator visits documented		
	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	500	1,000
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
	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	1400
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
	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	100	200