New York City
Department of Housing Preservation and Development

Office of Enforcement and Neighborhood Services

Office Locations & Contact Numbers

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94 Old Broadway (7th Floor)
New York, New York 10027
(212) 234-2541

Queens:
120-55 Queens Boulevard (1st Fl.)
Kew Gardens, New York 11424
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Staten Island:
Borough Hall (2nd Floor)
St. George, New York 10301
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This pamphlet contains frequently asked questions for tenants and owners concerning carbon monoxide and smoke detecting devices and is provided for your convenience only. For complete information, consult the law and applicable rules.

Even when owner and tenant agree that the tenant will install the CO or smoke alarm, the owner must still file a "Certificate of Satisfactory Installation" with HPD. Owners must be provided access to the unit to confirm that approved CO and smoke alarms are properly installed and operational.

Are owners required to install CO alarms in vacant apartments and are combination CO/smoke alarms permitted? Yes.

If an owner installs a combination CO/smoke alarm, is the owner entitled to a $35 ($25 CO alarm + $10 smoke alarm) reimbursement?
Owners who install a combined alarm are entitled to be reimbursed up to $35 only when the smoke alarm needs to be replaced, e.g., it is missing or inoperable. If the smoke alarm is operable and the building owner still wants to replace it with a combined alarm, he or she can only be reimbursed $25.

What is the owner's responsibility concerning smoke detectors:
in Class A multiple dwellings?
Provide and install at least one approved and operational smoke detecting device (SDD) within each dwelling unit; Post a notice in a common area informing occupants of the law's requirements; Replace any SDD which has been stolen, removed, missing or rendered inoperable before new tenant moves in if prior tenant has not replaced it; Replace any SDD in 30 days if it becomes inoperable within one year of installation due to a defect and no fault of the occupant; Keep all records relating to the installation and maintenance of SDD and provide to HPD if requested;File a Certificate of Satisfactory installation of SDD with HPD.

in Class B multiple dwellings?
Provide and install at least one approved and operational SDD within each unit or provide and install a hard wired zoned SDD throughout the multiple dwelling in accordance with DOB regulations; Keep and maintain SDD in good repair; Replace any SDD which have been stolen, removed, are missing or are inoperable before a new tenant moves in; Keep all records of SDD installation and maintenance and provide to HPD if requested; File a Certificate of Satisfactory of SDD installation with HPD.

What are an occupant's obligations regarding smoke detecting devices?
To maintain the SDD in good condition; and to replace a SDD which has been stolen, removed, is missing or is rendered inoperable during occupancy. The occupant must reimburse the owner a maximum of $10. for the cost of providing/installing each SDD and shall have one year from the date of installation to make such payment

Tenants are responsible for maintaining Section 8 Housing Quality standards.
HPD holds tenants responsible for damage or violations that cause a unit to fail inspection. HPD generally holds tenants responsible for nonfunctioning SDDs (battery-operated, battery dead; electric, tenant pays own electric bill) and missing SDDs (SDD was present on initial or last annual inspection) and nonfunctioning CO detectors (battery-operated, battery dead.)

www.nyc.gov/hpd

Department of Housing Preservation & Development

The City of New York

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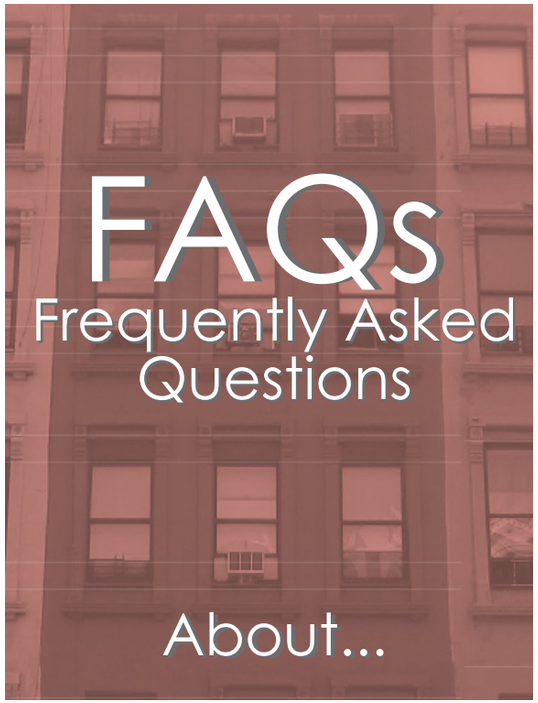

FAQs
Frequently Asked Questions
About...

The New York City Carbon Monoxide and Smoke Detecting Device Requirements

Department of Housing Preservation & Development

HPD's Division of Code Enforcement, is responsible for enforcing the New York City Housing Maintenance Code and the New York State Multiple Dwelling Law.

For more information, or to learn more about the NYC HPD, please viisit our website nyc.gov/hpd or call an HPD office.

FAQs Frequently Asked Questions

What is carbon monoxide?
Carbon monoxide (CO) is a highly toxic gas. It is the product of the incomplete combustion of fossil fuels such as oil, natural gas, gasoline, wood and coal. The major sources of CO in homes and apartments are fossil fuel burning boilers, furnaces, water heaters, fireplaces and parking garages. Carbon monoxide is very dangerous because it is colorless, odorless, tasteless, and non-irritating. Carbon monoxide poisoning can be fatal. The warning signs of CO poisoning include headaches, dizziness, tiredness and nausea.

What are the associated Local Laws?
Local Law # 7 of 2004 was New York City's first CO Detecting Device Law. This law required that certain dwelling units be equipped with one or more CO alarms. The law created record-keeping and notice requirements for owners. Then an amendment to the law was enacted: Local Law # 75 of 2011. The most important changes are that installed devices are required to have end-of-life alarms and that owners are required to replace the devices when the useful life of the device is over.

How does HPD enforce CO and smoke detector regulations?
HPD housing inspectors look for proper installation of operational CO and smoke alarms in every dwelling unit inspected. Inspectors also check the public areas of Class "A" multiple dwellings for the required posted information.

What dwelling units must be equipped with CO alarms?
Carbon monoxide alarms must be installed in every dwelling unit located within a building that contains any fossil fuel burning furnace, boiler or water heater as part of a central system; and in every dwelling unit located within a building served by a central fossil fuel burning furnace, boiler or water heater that is located in an adjoining or attached building. If you believe that your building may be wholly or partially exempt from the requirement for CO alarms, you may go online to nyc.gov/hpd for detailed information.

Carbon monoxide alarms must also be installed in every dwelling unit on the same floor as, on the floor below, and on the floor above any enclosed parking lot or fossil fuel burning equipment such as a fireplace or fossil fuel burning apparatus, appliances or devices other than household cooking appliances and household gas clothes dryers located in the building.

Where should CO alarms be installed?
Carbon monoxide alarms must be installed within 15 feet of the primary entrance of each bedroom.

What is the penalty for failure to provide and install a CO alarm?
In multiple dwelllings, failure to provide an approved and operational CO alarms or failure to post the required notice will each, after inspection, result in the issuance of a Class "B" hazardous violation. Civil penalties, which can be imposed by the Court, range from $25 to $100 plus $10 per day from the date set for correction in the notice of violation until the date the violation is corrected.

What are an owner's obligations?
Obligations depend on the type of dwelling.

Owners of Class "A" multiple dwellings (a multiple dwelling which is occupied, as a rule, for permanent residence purposes) that are required to be equipped with smoke and CO alarms must:

- Provide and install at least one approved and operational CO and smoke alarm with an audible alarm for the end of its useful life within each dwelling unit,
- Replace alarms that exceed the manufacturer's suggested useful life,
- File a "*Certificate of Satisfactory Installation*" for each type of alarm with HPD, either online at nyc.gov/hpd or by completing a form available at the Borough Offices,
- Post a notice in a common area informing occupants of the law's requirements,
- Provide written information regarding the testing and maintenance of CO and smoke alarms to at least one adult occupant of each dwelling unit at the time of installation,
- Keep all records relating to the installation and maintenance of CO and smoke alarms.

Owners of Class "B" multiple dwellings (a multiple dwelling which is occupied, as a rule, transiently, as the more or less temporary abode of individuals or families who are lodged with or without meals) that are required to be equipped with CO must:

- Provide and install at least one approved and operational CO alarm with an audible alarm for the end of its useful life within each dwelling unit, a line operated zoned CO detection system with central PA system and central office office tie in for all public corridors and public spaces
- Replace alarms that exceed the manufacturer's suggested useful life,
- File a "*Certificate of Satisfactory Installation*" for CO alarms with HPD, either online at www.nyc.gov/hpd or by completing a form available at the Borough Offices,
- Keep all records relating to the installation and maintenance of alarms, and
- Keep and maintain the alarms or systems in good repair.

Owners of private dwellings (a building or structure designed and occupied for residential purposes by not more than two families, i.e., one- and two-family homes) required to be equipped CO alarms must:

- Provide and install at least one approved and operational CO alarm with an audible alarm for the end of its useful life within each dwelling unit,
- Provide a notice informing occupants of the law's requirements,
- Provide written information regarding the testing and maintenance of alarms to at least one adult occupant of each dwelling unit, and
- Keep all records relating to the installation and maintenance of alarms.

What are an occupant's obligations regarding CO detectors?
An occupant's obligations depend on the type of dwelling. Occupants of Class "B" multiple dwellings have no obligations.

Occupants of Class "A" multiple dwellings and private dwellings must:

- Maintain CO alarms in good repair,
- Replace any CO alarm that is stolen, removed, missing, or inoperable,
- Reimburse the owner $25 for each CO alarm that is installed or replaced upon the expiration of its useful life, including installations done as a result of the occupant's failure to maintain the CO alarm, or where the CO alarm has been lost or damaged by the occupant. Occupants have one year from the date of installation to make the $25 reimbursement.

Are Coop and condo owners responsible for installing their own CO and smoke alarms? Coop housing corporation/ shareholders or board of managers/owners. must decide. Violations go to the building.

Can owners allow occupants to install their own CO and smoke alarms? *(over)*