

CLEARING HPD VIOLATIONS

The New York City Department of Housing Preservation & Development (HPD) issues violations to owners of buildings that do not meet the standards of the City's Housing Maintenance Code and the New York State Multiple Dwelling Law. Buildings with significant numbers of unresolved violations may be the subject of HPD-initiated litigation, eligible for the Alternative Enforcement Program, or publicly posted on the Proactive Preservation Initiative's At-Risk Building list. These enforcement measures may lead to liens or judgments against the building.

HPD encourages you to correct and clear your violations.

ON TIME

CLEAR NEW VIOLATIONS WITHIN CERTIFICATION PERIOD






Submit certification online using eCertification




Mail a completed Certification of Correction of Violation form

OVERDUE

CLEAR OVERDUE VIOLATIONS OUTSIDE CERTIFICATION PERIOD



Submit Dismissal Request form with applicable fee and HPD will reinspect the property and clear corrected overdue violations



Request the reissuance of violations that are older than one year by completing a Violation Reissuance Request form

Buildings must have a current property registration on file at HPD to use the methods above. Please go to the HPD website to check the registration status of the property. If the building is not registered, use the Property Registration Online System to begin the registration process.

WORK WITH US:  REGISTER PROPERTY  PAY EMERGENCY REPAIR PROGRAM CHARGES  RESOLVE ANY JUDGEMENTS

**FOR MORE INFORMATION CONTACT OR VISIT A
CODE ENFORCEMENT BOROUGH OFFICE**

THIS GUIDE IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED AS LEGAL ADVICE OR A STATEMENT OF THE LAW.

CLEARING VIOLATIONS

Owners and managers can certify correction of violations in several ways, so long as they are current with their property registration. (Please refer to the [“Property Registration”](#) section for more details on how to check and update the registration):

Method to Clear	Eligible Violations	Action to Take	Clearing the Violation
<p><u>Certification:</u> Owners and managers can certify that violations were corrected by the correction date and submit to HPD by the certification date.</p>	<p>Recently issued & within <u>Notice of Violation certification period</u> are eligible.</p> <ul style="list-style-type: none"> • Class A: Correct within 90 days • Class B: Correct within 30 days • Class C: Most class C violations have a correction period of 24 hours. Lead-based paint, window guard, heat and hot water are exceptions, so check your Notice of Violation. 	<p>On the Internet: Use the <u>eCertification</u> online tool.</p> <p>By Mail: Send <u>“Certification of Correction of Violation”</u> form as directed on the form.</p>	<p>HPD may inspect these properties to confirm that the corrections were performed.</p> <p>For non lead-based paint violations, if no reinspection is conducted, the violation is deemed complied 70 days after the receipt of the certification. The violation is closed.</p>
<p><u>Apply for Dismissal Request:</u> HPD inspects violations that are past the certification period.</p>	<p>Any open violation is eligible. Some violations may require submission of documents in addition to the inspection finding of correction in order to be cleared.</p>	<p>In-person or by mail: Pay the fee and submit <u>“Dismissal Request”</u> to borough site office for non-AEP buildings. Owners and managers of AEP buildings must go to 100 Gold Street to submit <u>Dismissal Requests.</u> Forms are available at www.nyc.gov/hpd.</p>	<p>Upon inspection, HPD will close corrected violations.</p>
<p><u>Request Violation Reissuance:</u> HPD reissues violations as if they are new, giving owner a new certification period.</p>	<p>Violations that are more than 12 months old are eligible.</p>	<p>By Mail: Complete and mail the <u>“Violation Reissuance Request”</u> form. The form is available at www.nyc.gov.</p>	<p>The owner/manager must certify the reissued violation(s) within the new certification period. HPD may inspect these properties to confirm that the corrections were performed.</p>

CERTIFYING CORRECTED VIOLATIONS

Once a violation has been corrected, an owner or manager can proactively work with HPD to close these violations from the record if the owner is currently and validly registered. (See “[Registering a Property](#)” for more details.) Owners and managers can certify that the work was completed by using the online system, [eCertification](#), or by mailing a completed “[Certification of Correction of Violation](#)” form to HPD. There is no fee for either of these methods.

A certification is a hard copy or electronic document filed with HPD by property owners or managing agents to affirm that the violation conditions cited on the Notice of Violation (NOV) have been corrected within the legally required timeframe. Please note: A certification will be invalidated if, upon inspection, the condition still exists. Penalties can be imposed by the Housing Court for false certification. Filing a false statement is a misdemeanor.

eCertification

eCertification is a free online application which allows property owners and managing agents to certify the correction of HPD violations.

Who can certify: Only owners, officers, or managing agents listed on the current, valid registration are eligible to enroll for eCertification. Enrollment will remain active for as long as a building remains validly registered.

ENROLLMENT DETAILS

To enroll, create an HPD user ID and log into the website:

<https://webapps.hpdnyc.org/eSignature/Login.aspx>

All applicants must complete the “Application to Create Online Certification Authorization” form. Please print this form and mail the notarized original to HPD. Only buildings enrolled through this process can use the eCertification tool.

For more step-by-step instructions about how to enroll, click [here](#) (<http://www.nyc.gov/html/hpd/downloads/pdf/eCert-Enrollment.pdf>).

For more details about how to eCertify, click [here](#) (<http://www.nyc.gov/html/hpd/downloads/pdf/ecertification-Processing.pdf>).

If you have questions about the eCertification process or are experiencing technical difficulties with eCertification, you may contact HPD at ecertadmin@hpd.nyc.gov or 718-802-4561.

Process:

1. Enroll in eCertification. Enrollment is required before using the online eCertification system. (See “Enrollment Details” above.)
2. Login in to the eCertification page on the HPD website at <https://webapps.hpdnyc.org/eSignature/Login.aspx>.
3. Select the building.
4. Add your 24 hour emergency contact number.
5. Select the violations for certification and enter the required correction information.
6. Enter your verification code (provided by HPD for each transaction).
7. Click submit.
8. Review the pre-printed version of the eCertification document.
9. Click submit to update the violation status and complete your certification.
10. Print or save a copy for your records.

Requirements:

- ❖ Violations that were recently issued or re-issued AND still within the certification period are eligible. Owners must correct violations by the correction date. Violations that are past the certification period are not eligible for certification. Please refer to the Notice of Violation for the correction and certification due dates.

Exclusions from eCertification:

- ❖ Lead-based paint violations
- ❖ Mold or vermin violations issued to buildings participating in the Alternative Enforcement Program.

Certification of Correction of Violations Form

Property owners and managing agents can certify the correction of HPD violations by mailing in a completed “Certification of Correction of Violations” form. There is no fee to use this process.

Who can certify: Only owners, officers, or managing agents listed on the current, valid registration can submit a Certification.

Process:

1. Ensure that your building has an up-to-date building registration. (See “[Registering a Property](#)” for more details.)
2. Complete the “Certification of Correction of Violations” form found [here](#). (<http://www.nyc.gov/html/hpd/downloads/pdf/Certification-of-Correction.pdf>).
3. Mail form to borough office. (See the last page for borough office locations.)

Requirements:

- ❖ Only violations that were recently issued or reissued AND still within the certification period are eligible. Owners must correct violations by the correction date. Violations that are past the certification period are not eligible for certification. Please refer to the Notice of Violation for the correction and certification due dates.

APPLYING FOR A DISMISSAL REQUEST

Owners and managers who corrected a violation, but failed to certify those corrections within the certification period are eligible to apply for a dismissal request. HPD charges a dismissal request inspection fee to send inspectors to the building. The inspectors will inspect all open violations or only those requested to be inspected. Owners can use this opportunity to clear newly issued violations, in addition to violations that are past the certification period. If upon inspection the violations are determined to be corrected, then HPD will close these violations from the record (Note: some violations require additional documentation in addition to the inspection. See the detailed Dismissal Request form instructions for more information).

In many cases, HPD inspectors need access to individual apartments. Owners are responsible for informing tenants of the HPD inspection schedule. HPD will work with owners to schedule up to two appointment dates.

HPD will issue violations if inspectors find hazardous conditions.

Who can file: Only registered owners/managing agents or authorized representatives can file a Dismissal Request.

Process:

1. Ensure that your building has an up-to-date building registration. (See "[Registering a Property](#)" for more details.)
- 2a. Owners of non-AEP buildings can mail or deliver a completed "[Dismissal Request](#)" form along with a certified check or money order to the Code Enforcement Office in the borough where the subject building is located. Owners, managers, and authorized representatives can pay by credit card when hand-delivering forms to Code Enforcement Borough Offices.
- 2b. Owners of AEP buildings must contact the AEP office at (212) 863-8262.
3. HPD will attempt to conduct an inspection within 45 days of the Dismissal Request during the summer and within 90 days of the request during the winter.
4. HPD will provide a report of the inspection results.

Requirements:

- ❖ A building's property registration must be current.

Reasons for Rejection:

- ❖ Any building where the owner, managing agent, or subject building is the subject of pending HPD-related litigation.
- ❖ Any building where the owner, managing agent, or building is subject to an uncollected judgment arising from HPD-related litigation.
- ❖ Any building with unpaid emergency repair charges for work performed by or on behalf of HPD.

Fee Schedule:

Private Dwelling (1-2 family)	\$250
Multiple Dwelling with 1- 300 open violations	\$300
Multiple Dwelling with 301-500 open violations	\$400
Multiple Dwelling with 500 or more open violations.....	\$500
Multiple Dwelling active in the Alternative Enforcement Program (AEP)	\$1000

LEAD-BASED PAINT VIOLATIONS

By law, lead-based paint violations need additional documentation for dismissal. The owner must submit documents regarding the work methods and cleanup process, along with documents showing that workers were properly trained, in addition to submitting a completed Dismissal Request form.

A detailed description of the work practices that must be used to correct current lead-based paint violations is included in an HPD pamphlet – GUIDE TO LOCAL LAW #1 OF 2004 WORK PRACTICES - available at the Borough Offices and on the HPD website (nyc.gov/hpd). If you have any questions, you may call the Lead Hotline at (212) 863-6458.

REQUESTING REISSUANCE OF VIOLATIONS

HPD offers a one-time reissuance of violations to buildings where there are no open violations in the last year. Owners and managers can then use the certification tools to clear the violation record.

Process:

1. Ensure that your building has an up-to-date building registration. (See "[Registering a Property](#)" for more details.)
2. Complete the "[Violation Reissuance Request](#)" form. (<http://www.nyc.gov/html/hpd/downloads/pdf/Form-RV1-Reissuance.pdf>).
3. HPD sends new Notices of Violation including all reissued violations.
4. Follow the process for certification either online or by mail. Once you certify the violations, HPD treats them just like any certified violations. Violations will be deemed complied after 70 days if no inspection is conducted.

Requirements:

- ❖ The building cannot have any violations that were issued in the past 12 months.
- ❖ A building's property registration must be current.

Reasons for Rejection:

- ❖ Any building where the owner, managing agent, or subject building is the subject of pending HPD-related litigation.
- ❖ Any building with unpaid emergency repair charges for work performed by or on behalf of HPD.
- ❖ Any building where the owner, managing agent, or subject building had one or more violations falsely certified in the last 12 months.

Exclusions:

- ❖ Lead-based paint violations
- ❖ Buildings participating in AEP. Owners of AEP Buildings must contact the AEP office to close overdue violations.

Who can file: Only registered owners/managing agents or authorized representatives can file.

GENERAL INFORMATION ABOUT VIOLATIONS

CHECKING VIOLATION STATUS

You can find out whether there are HPD violations pending on your property by viewing open violations at www.nyc.gov/hpd. On the home page, enter the property address to get information about complaints, violations, and property registration and click Search.

CORRECTION AND CERTIFICATION PERIODS

Owners/ managing agents must correct violations and certify those corrections within a time period set by law. The length of time depends on the violation classification. For example, the law requires you to correct and certify Class C immediately hazardous violations within a shorter time period than Class A violations. Please refer to the Notice of Violation (NOV) for the correction and certification due dates.

Violation Classification	Correction Period
Class A	90 days from date of receipt of the NOV*
Class B	30 days from date of receipt of the NOV*
Class C Lead and Class C Window Guards	21 days from receipt of the NOV*
Class C Heat/Hot Water	24 hours from posting of the NOV at the building
All Other Class C	24 hours from the receipt of the NOV*

**By law HPD calculates that you will receive the NOV five days from mailing for Class C violations, and 14 days from mailing for Class A and Class B violations.*

ALTERNATIVE ENFORCEMENT PROGRAM

The Alternative Enforcement Program (AEP) addresses conditions in the 200 most distressed multiple dwellings citywide annually, pursuant to [Administrative Code Section 27-2153](#). AEP ensures that violations and underlying conditions that caused the violations are corrected. If the owner does not make all corrections necessary for discharge within the first four months, an AEP Order to Correct will be issued. An AEP Order to Correct is an administrative order that lists the building systems that must be replaced. If the owner fails to comply with the Order, HPD may hire a contractor to make the repairs and will bill the owner. Failure to pay the bill may result in a tax lien being placed against the property.

Once an Order is issued, the owner should contact the AEP office at (212) 863-8262 for information about how to comply with the Order, and how to have the Order rescinded and the building discharged from the program.

Clearing Violations:

- ❖ Owners/ managing agents of AEP buildings can neither file a [Dismissal Request](#) nor request violation reissuance at borough offices. Contact the AEP office at (212) 863-8262 to clear overdue violations.
- ❖ Owners and managers of AEP buildings CAN certify that they have corrected current violations via [eCertification](#) or by mailing in the [“Certification of Correction of Violations”](#) form. Owners and managers CANNOT certify violations for mold or vermin through eCertification.

REGISTERING A PROPERTY

Buildings must have a current property registration on file at HPD to certify correction of violations. Please go to [HPD Online](#) to check registration status and use the [Property Registration Online System](#) to begin the registration process.

CODE ENFORCEMENT BOROUGH OFFICES

Please visit the borough office where the subject building is located. Borough offices are in the following locations:

BOROUGH	ADDRESS	TELEPHONE
Manhattan	HPD - Division of Code Enforcement 94 Old Broadway, 7th Floor New York, NY 10027	(212) 234-2541
Bronx	HPD - Division of Code Enforcement 1932 Arthur Avenue, 3rd Floor Bronx, NY 10457	(718) 579-6790
Brooklyn	HPD - Division of Code Enforcement 701 Euclid Ave. Brooklyn, NY 11208	(718) 827-1942
	HPD - Division of Code Enforcement 210 Joralemon St. Room # 806 Brooklyn, NY 11201	(718) 802-3662
Queens	HPD - Division of Code Enforcement 120-55 Queens Blvd. (Queens Borough Hall) 1st Floor Kew Gardens, NY 11424	(718) 286-0800
Staten Island	HPD - Division of Code Enforcement Staten Island Borough Hall, Staten Island, NY 10301	(718) 816-2340