

**The City of New York**  
**DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**  
**Division of Code Enforcement**

**DISMISSAL REQUEST FORM**

**1. BUILDING TO BE INSPECTED**

Building Address: \_\_\_\_\_ Borough: \_\_\_\_\_

Number of Dwelling Units: \_\_\_\_\_ Property Registration Number: \_\_\_\_\_

Item Numbers to Be Inspected:

- ALL
- ONLY \_\_\_\_\_

Do you want to be contacted to schedule the inspection? \_\_\_ YES \_\_\_ NO

**2. REQUESTOR INFORMATION**

Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Requestor is: (Check applicable box)  Owner  Managing Agent

**3. REQUESTOR SIGNATURE**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**The requestor must be a person designated on the Property Registration as the owner or responsible party. If this form is for a private dwelling that is occupied by the owner or his/her family, condominium or cooperative apartment, you are also required to submit the Dismissal Request Affidavit of Ownership.**

**CODE ENFORCEMENT BOROUGH OFFICES**

- Manhattan: 94 Old Broadway, 7<sup>th</sup> Floor, New York, N.Y. 10027
- Bronx: 1932 Arthur Avenue, 3<sup>rd</sup> Floor, Bronx, N.Y. 10457
- Brooklyn: 701 Euclid Avenue, Brooklyn, N.Y. 11208  
210 Joralemon Street, Room # 809, Brooklyn, N.Y. 11201
- Queens: 120-55 Queens Boulevard, 1<sup>st</sup> Floor, Kew Gardens N.Y. 11424
- Staten Island: Borough Hall, 10 Richmond Terrace, 2<sup>nd</sup> Floor, St. George, N.Y. 10301

**THIS SECTION IS FOR CODE ENFORCEMENT USE ONLY**

Date received: \_\_\_\_\_ Number of violations pending: \_\_\_\_\_

\_\_\_\_\_ Mail \_\_\_\_\_ Walk-In \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected

Inspection Report Due Date: \_\_\_\_\_

Note: \_\_\_\_\_

\_\_\_\_\_ This form was processed by: \_\_\_\_\_

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**DISMISSAL REQUEST FORM INSTRUCTIONS**

The Dismissal Request Program provides owners and managing agents with an opportunity to have their property inspected for the purpose of having corrected violations removed from the Department of Housing Preservation and Development's ("HPD") records.

A Dismissal Request form may be rejected by HPD when: there is no current or valid Property Registration for the building which is the subject of the form ("subject building"); there is an unpaid emergency repair charge for repairs performed by or on behalf of HPD; when the owner, managing agent, or subject building is the subject of pending HPD-related litigation; when the owner, managing agent, or subject building is the subject of an uncollected judgment arising from HPD-related litigation.

If the Dismissal Request form is accepted by HPD, the agency will use its best efforts to inspect the subject building and mail the results of the inspection to the requestor within 45 business days of HPD's receipt of the Dismissal Request form when submitted between June 1<sup>st</sup> and September 30<sup>th</sup> or 90 business days of HPD's receipt of the Dismissal Request form when submitted between October 1<sup>st</sup> and May 31<sup>st</sup>. If an inspection report is not timely mailed, the Dismissal Request fee will be refunded and the inspection results provided to you as soon as possible thereafter. A maximum of two attempts will be made to inspect all violations that are part of the Dismissal Request. A Dismissal Request inspection may, if conditions warrant, result in the issuance of additional violations. **CORRECTED VIOLATIONS THAT ARE NOT INSPECTED WILL NOT BE REMOVED FROM THE HPD'S RECORDS. YOU MUST MAKE ALL EFFORTS TO ASSIST HPD INSPECTORS IN OBTAINING ACCESS.**

**Section 1:** Provide the address of the subject building (house number, street name and borough) and the number of dwelling units it contains. If the subject building has more than two dwelling units or two dwelling units but neither the owner nor his/her family reside at the property, you must indicate the Property Registration number. (For more information on Property Registration, go to [www.nyc.gov/hpd](http://www.nyc.gov/hpd).) All violations on record will be inspected unless specific violations are indicated. You should indicate whether you would like to have HPD contact you to schedule the Dismissal Request inspection

**Section 2:** Provide your name, mailing address, daytime telephone number, and e-mail address. The inspection results will be mailed via first class mail to this address. Indicate whether you are the owner or managing agent of the subject building by checking the appropriate box. A Dismissal Request form will only be accepted **if signed** by the owner or managing agent of the subject building. (A Dismissal Request form may be submitted to the Code Enforcement Borough Office by mail or in person.)

**Section 3:** Sign and date the form.

**Fees:** Each Dismissal Request must be accompanied by a fee for a scheduled amount based on the dwelling classification and number of open violations at the time the Dismissal Request form is submitted to the Code Enforcement Borough Office, as follows:

<b>Dwelling Classification</b>	<b>Fee</b>
Private Dwelling (1-2 units).....	\$ 250
Multiple Dwelling (3+ residential units) with 1 - 300 open violations.....	\$ 300
Multiple Dwelling with 301 – 500 open violations.....	\$ 400
Multiple Dwelling with 501 or more open violations.....	\$ 500
Multiple Dwelling Active in the Alternative Enforcement Program (AEP)	\$1000

**Submission:** For buildings that are not in the Alternative Enforcement Program, mail or deliver the completed Dismissal Request form with a certified check or money order, made payable to the NYC Department of Finance, to the Code Enforcement Borough Office in the borough where the subject building is located. Please indicate the Property Registration number on the check or money order. AEP Dismissal Requests must be submitted (with the certified check or money order made payable to the NYC Department of Finance) to the Alternative Enforcement Program at 100 Gold Street, 4<sup>th</sup> Floor, New York, NY 10038.

**WARNING: Offering any type of benefit to a Housing Inspector in order to influence his or her official action is a crime. Housing Inspectors will report such offers to the City's Department of Investigation. Violators will be prosecuted.**

**Post-Dismissal Request Inspection Self-Certification**

During a Dismissal Request inspection, if Code Enforcement inspectors gain access to at least 50% of the violations **AND** 75% of those violations are observed corrected, pending violations that were not inspected may be dismissed through a self-certification ("CV-1") process.

Violations that were written as order numbers 80, 81, 81-b, 491, 495, 503, 521, 522, 526, 530, 555, 567, 610, 611, 612, 616, 617, 618, 701, 702, 703, 741, 746, 750, 761, 762, 790, 791, 803, 821, 822, 826, 830, 867, 1001, 1002, 1003, 1041, 1061, 1062, 1492, 1493, 1501, 1502, 1503, 1504, or 1505 will **NOT** be dismissed through the self-certification process. Violations that require documentation may be dismissed through the self-certification process **ONLY** when appropriate documentation is filed with HPD. Form DR-1a details required paperwork for specific violation types (order numbers). The self-certification "CV-1" form is available at each Code Enforcement Borough Office. All submissions of the CV-1 must be completed within 45 days of the date on the Dismissal Request Results document which is sent to the owner at the conclusion of the Dismissal Request inspection.

**DISMISSAL REQUEST- VIOLATIONS REQUIRING DOCUMENTATION**

Included among the outstanding violations for which you may request a Dismissal Request may be violations that require the submission of documents prior to dismissal. Below, please find outlined a description of these violations and an explanation of how you can comply with the violation. All HPD forms are available online at any Code Enforcement Borough Office (see back) or online at <http://www.nyc.gov/html/hpd/html/owners/owner-forms.shtml>.

**LEAD-BASED PAINT HAZARD VIOLATIONS** on record with the Department of Housing Preservation and Development (HPD) can be dismissed *ONLY IF* the appropriate additional documentation regarding the work methods and cleanup process accompanies a completed Dismissal Request form. Even if the lead paint condition appears to be repaired, the violation cannot be dismissed without this documentation. If you choose to proceed with your Dismissal Request without producing this documentation, HPD may commence further action to identify and address any remaining lead violation. Such action may include taking dust wipe samples from areas in units where pending lead-based paint hazard violations appear to have been corrected and contracting for cleaning and retesting if lead dust is found in those areas. You will be held responsible for any expense HPD incurs in the course of determining whether a lead-based paint violation still exists and correcting it if you do not provide appropriate documentation of work methodology. (A detailed description of the work practices that must be used to correct current lead paint hazard violations is included in an HPD pamphlet – GUIDE TO LOCAL LAW #1 OF 2004 WORK PRACTICES, which is available at the Borough Offices and on the HPD website, <http://nyc.gov/html/hpd/>.) If you have any questions, you may speak with the Public Interviewer at a Code Enforcement Borough Office, call the Lead Hotline at (212) 863-6458, or visit the HPD website at [NYC.gov/hpd](http://NYC.gov/hpd).

<b>Order Number</b>	<b>In order to have lead-based paint violations dismissed, you must submit:</b>
<p><b>555</b> (“remove or cover in a manner approved by the department peeling lead paint”)  <b>606, 607, 610, 611, 612</b> (“correct the lead-based paint hazard”)</p>	<ul style="list-style-type: none"> <li>• Form AF-3/4 (an affidavit certifying that work was performed correctly)</li> <li>• A copy of the State-certified laboratory analysis of all surface dust samples taken (<a href="http://www.hud.gov">www.hud.gov</a> provides a list of certified laboratories) which indicates the method of analysis and preparation of the samples.</li> <li>• A copy of the Certificate of Training of the individual who took surface dust samples. The Certificate of Training must be valid for the period when the test was taken. NYC Department of Health and Mental Hygiene Certificates of Training are not valid as of August 2004.</li> <li>• If section 3c is checked on the Form AF-3/4:             <ul style="list-style-type: none"> <li>• A sworn statement made by the agent or employee who performed the work to correct the lead-based paint hazard violation(s) stating that the work was performed in accordance with §27-2056.11 of Article 14 of the Housing Maintenance Code and §11-06 of Title 28 of the Rules of the City of New York, the start and completion date of the work and contact information (phone or fax) for the individual signing the statement; and</li> <li>• A copy of the EPA certification for the firm that performed the work to correct the lead-based paint hazard violation(s).</li> </ul> </li> </ul>

<p><b>616</b> (“correct the lead-based paint hazard - presumed lead paint”)</p> <p><b>617</b> (“correct the lead-based paint hazard - paint that tested positive for lead content”)</p>	<ul style="list-style-type: none"> <li>• Form AF-5 (an affidavit certifying that work was performed correctly)</li> <li>• A copy of the State-certified laboratory analysis of all surface dust samples taken (<a href="http://www.hud.gov">www.hud.gov</a> provides a list of certified laboratories) which indicates the method of analysis and preparation of the samples.</li> <li>• A copy of the Certificate of Training of the individual who took surface dust samples. The Certificate of Training must be valid for the period when the test was taken. NYC Department of Health and Mental Hygiene Certificates of Training are not valid as of August 2004.</li> <li>• A sworn statement made by the agent or employee who performed the work to correct the lead-based paint hazard violation(s) stating that the work was performed in accordance with §27-2056.11 of Article 14 of the Housing Maintenance Code and §11-06 of Title 28 of the Rules of the City of New York, the start and completion date of the work and contact information (phone or fax) for the individual signing the statement;</li> <li>• A copy of the EPA certification for the firm that performed the work to correct the lead-based paint hazard violation(s)</li> </ul>
<p><b>618</b> (“correct failure to provide to the department within 45 days of demand all records required to be maintained by owner”)</p>	<ul style="list-style-type: none"> <li>• Contact the Lead-Based Paint Inspection Unit’s COTA Unit at 212-423-5065 for details regarding the dismissal of this violation.</li> </ul>

**OTHER VIOLATIONS REQUIRING DOCUMENTATION FOR DISMISSAL**

<b>Order Number</b>	<b>Forms/Documents Required</b>
<p><b>703, 1003</b> (Smoke Detectors)</p>	<p>File a “Smoke Detectors - Certificate of Installation” or a “Smoke and Carbon Monoxide Detector - Certificate of Installation” form in accordance with HPD rules and regulations.</p>
<p><b>1504</b> (CO Detecting Device)</p>	<p>File a “Carbon Monoxide - Certificate of Installation” or “Smoke and Carbon Monoxide Detector - Certificate of Installation” form in accordance with HPD rules and regulations or complete the online filing at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a>. If your building does not require carbon monoxide detectors in whole or in part, you may file an exemption form.</p>
<p><b>771, 772, 773, 774, 775, 776, 777</b> (Registration)</p>	<p>File with this department a “Property Registration” form. You can complete this form online at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a>, but the property owner and managing agent must sign and date the form appropriately and submit a signed copy to HPD. There is a \$13 fee associated with this form which can be paid to the Department of Finance. See HPD’s website at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a> for more information about Property Registration.</p>
<p><b>491, 494, 495, 741, 761, 762, 1041, 1061, 1062, 1492, 1493</b> (Alterations)</p>	<p>If you have legalized an alteration, you must provide plans and permits approved by the Department of Buildings. If you have restored to the legal condition, you do not need to provide documents.</p>
<p><b>550 (mold)</b></p>	<p>ONLY FOR ALTERNATIVE ENFORCEMENT PROGRAM (AEP) BUILDINGS. Contact AEP at (212) 863-8262 to obtain details about required documents.</p>

**BOROUGH OFFICES**

**Manhattan**  
94 Old Broadway, 7<sup>th</sup> Fl  
New York, NY 10027

**Bronx**  
1932 Arthur Ave.  
Bronx, NY 10457

**Brooklyn**  
701 Euclid Ave.  
Brooklyn, NY 11208

**Queens**  
120-55 Queens Blvd.  
Kew Gardens, NY 11424

**Staten Island**  
Borough Hall  
St. George, NY 10301

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**DISMISSAL REQUEST AFFIDAVIT OF OWNERSHIP**

State of New York

County of \_\_\_\_\_

I, \_\_\_\_\_, swear or affirm under penalty of perjury as follows:

That I am: (CHECK THE APPLICABLE BOX)

- The owner of the private dwelling located at \_\_\_\_\_ . I or a family member reside at the dwelling and therefore I am not required to file a Property Registration form.
- The owner of a condominium unit located at \_\_\_\_\_ , apartment # \_\_\_\_\_.
- The owner of shares of a cooperative that owns the property located at \_\_\_\_\_ , apartment # \_\_\_\_\_.

\_\_\_\_\_  
Signature

Sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_