



NEW YORK CITY DEPARTMENT OF HEALTH  
AND MENTAL HYGIENE  
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Commissioner

DRAFT  
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## WITH FAMILIES AT HOME DURING THE COVID-19 PANDEMIC, CITY URGES NEW YORKERS TO TAKE STEPS TO PREVENT WINDOW FALLS

*Properly installed window guards protect children from death and serious injuries.*

*Since March, three young children have fallen from windows, resulting in injuries.*

*In 2019, there were 11 falls among children 10 years of age or younger; four children died after falling from a window that did not have a properly installed window guard.*

**May 20, 2020** – With New Yorkers remaining inside their homes to slow the spread of COVID-19, the Health Department and the Department of Housing Preservation and Development (HPD), and the NYC Administration for Children Services (ACS) are urging landlords, homeowners and tenants to take action to prevent window falls. Properly installed window guards can prevent children from falling out of open windows. Since March, three young children have fallen from windows that did not have window guards and sustained injuries.

“New Yorkers are staying inside more than at any time in recent history in order to keep themselves and their loved ones safe—but that doesn’t mean there aren’t risks at home,” said **Health Commissioner Dr. Oxiris Barbot**. “Properly installing window guards can prevent falls and keep kids safe. If you have a child 10 years old or younger, make sure that you have a properly installed window guard in every window that is not an emergency exit; if window guards are missing, **call 311.**”

“As New Yorkers spend more time indoors because of the crisis, residents and building owners must stay mindful that window guards are a critical and necessary protection measure for families with young children,” said **Louise Carroll, Commissioner of the New York City Department of Housing Preservation and Development**. “HPD is doing its part to educate landlords and take action to protect children when window guards aren’t provided or are improperly installed. I thank the Health Department and the Administration for Children’s Services for their partnership in making the lives of the city’s children safer.”

“Window guards help prevent children from falling out of open windows and, now more than ever, as families spend more time at home, they’re of the utmost importance. As ACS continues to carry out its core mission of keeping children safe, we’re urging families across New York City to have window guards properly installed in their home so we can prevent future tragedies from occurring,” said **ACS Commissioner David A. Hansell**.

HPD just distributed its periodic e-bulletin to residential building owners, focusing on the heightened concern about window falls as families stay home and the importance of complying with window guard requirements.

Last year, 11 children age 10 and younger fell from windows; four of these falls were fatal. Of these 11 falls, seven (resulting in three injuries and four deaths) occurred in buildings with three or more units – where, under city law, building owners are required to install approved window guards in any apartment where a child 10 years of age or younger is cared for or lives. These falls could have been prevented if the required window guards had been properly installed. The remaining four falls (resulting in injuries) occurred in one- and two-family homes. While these private homes are not covered under city law, the falls may have been prevented by window guards.

Complying with the window guard requirements is a responsibility shared by owners and tenants. Owners of buildings with three or more units need to inform tenants about window guard requirements at the start of a new lease or when a lease is renewed. Owners must also distribute an annual notice that describes window guard requirements at the start of each year. Tenants, in turn, need to complete and return this annual notice by February 15 of each year to notify building owners if children 10 years of age or younger reside in the home or if they want window guards for any reason (e.g., children regularly visit the apartment). Building owners must install window guards or limiting devices in all homes in which tenants indicate the need for them. Window guards must also be installed in any common areas, such as hallways and laundry rooms. As noted above, private dwellings are not covered under this law, but the Health Department strongly recommends that all parents of young children living in private dwellings install window guards.

During the COVID-19 pandemic, window guard installation and repair remains an ‘essential service,’ meaning that installation and repairs cannot be deferred until social distancing measures ease. Tenants must allow building owners and superintendents into their homes to install window guards or make any needed repairs. To maintain social distancing, tenants and maintenance staff should stay at least 6 feet apart and wear face coverings. Once installed, tenants cannot remove or alter the window guards or limiting devices.

### **Approved Window Guards and Proper Installation**

In homes where window guards are needed, all window types, including sliding windows with screens, must have approved and properly installed window guards or limiting devices. All window guards and limiting devices must have a Health Department approval number on the inside side-rail and must be appropriate for the window it occupies. Any guard that has more than a 4½-inch space between the bottom bar and the windowsill or the top bar and the base of the raised window is not installed properly. If a window has an air conditioner, it must be permanently installed with one-way metal screws, and any space that exceeds 4 ½ inches on either side of the air conditioner must be covered with rigid, secure panels.

Here are some guidelines for determining whether window guards are properly installed:

- On double-hung windows, two L-shaped stops should be screwed into the upper window tracks — one on each side — to keep the bottom window from being opened more than 4½ inches above the top bar of a window guard.
- The window guard or limiting device should allow no opening or space greater than 4½ inches on any window, including double hung, casement or sliders.
- The window guard must be installed securely and be flush mounted to the window frame on both sides with one-way or tamper-proof screws approved by the Health Department.
- The window guard must be installed in a sturdy window frame.

See the [Health Department's web pages](#) for comprehensive information about approved and properly installed window guards and limiting devices.

### **Enforcement of Window Guard Requirements**

The Department of Housing Preservation and Development (HPD) is responsible for enforcing the New York City Housing Maintenance Code and New York State Multiple Dwelling Law, including the window guard requirements. HPD responds to tenant complaints, performs inspections, and, where appropriate, writes violations of these codes, instructing landlords to correct the violation conditions.

If a building owner refuses to install window guards, tenants should call 311 or go to 311 Online ([www.nyc.gov/311](http://www.nyc.gov/311)) to file a complaint with HPD. Building owners may also call 311 to report tenants with young children who refuse to allow guards to be installed as required by law.

### **Additional Recommendations to Prevent Window Falls**

If you are a parent of young children, here are some additional recommendations for preventing window falls:

- Carefully check window guards periodically to ensure that they are secure. Screens are never a substitute for window guards.
- Never place a bed, chair or other object onto which children can climb in front of a window.
- Keep children off balconies and terraces if they are not being closely supervised by an adult by locking doors to those areas.
- Never let children play near elevator shafts or on fire escapes, balconies, terraces or rooftops. Don't let them play unsupervised in building hallways that have unguarded windows.
- Call 311 to report unguarded hallway windows.

For more information about window guards, visit [nyc.gov/health](http://nyc.gov/health) and search for **window guards**. You can also email the Health Department at [windowfallprevention@health.nyc.gov](mailto:windowfallprevention@health.nyc.gov).

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