

If you have received an Environmental Control Board (ECB) Notice of Violation (NOV) that includes a Commissioner's order to correct the condition(s), you are required to certify correction with the Department of Buildings ("Buildings") Administrative Enforcement Unit (AEU) in order to clear the violation from Buildings records. A violation may continue to appear "open" in Buildings records, even if you have attended the hearing or paid the imposed penalty until you submit acceptable proof that the violating condition(s) have been corrected. You must **correct all violating conditions** in order to certify correction and resolve the violation. The Department accepts a Certificate of Correction any time after the violation is issued. Partial correction of the violation is not acceptable.

How much time do I have to correct and certify correction?

- A. **Class 1 (Immediately Hazardous) violations**— A Certificate of Correction must be filed immediately with Buildings attesting to the correction of the violation. If you fail to timely certify correction to a Class 1 violation, you may be subject to additional Department of Buildings civil penalties of \$1500 minimum, as well as additional violations.
- B. **Class 2 (Major) and Class 3 (Lesser) Violations**—You have 40 days in which to correct and file a Certificate of Correction attesting to the correction of the violation. If the violation is eligible for a "CURE," you must certify correction **on or before** the "CURE DATE" indicated on the NOV in order to avoid a hearing and no penalty. See #3 below.

** Special note on Class 1 ILLEGAL CONVERSION violations (28-210.1) - Daily Penalties

If you are charged with violating §28-210.1 of the Administrative Code (illegal conversion), additional penalties of \$1000 per day for each day the violation remains uncorrected (45 days maximum) are assessed in addition to the standard penalty. Those penalties are assessed at your hearing. You must attend your hearing at ECB to avoid a default and maximum daily penalties. However, prior to the first scheduled hearing, you may certify correction in order to stop daily penalties from continuing to accrue. At the hearing, you will have an opportunity to present the Certificate of Correction Approval Letter (if correction is accepted) to the Administrative Law Judge so that the appropriate daily penalty may be assessed. Depending on the violation, permit(s) obtained by a licensed plumber or other professional may be required to correct the violating conditions.

1. Violation Information

- Complete this section by inserting the NOV number, the address where the violation occurred and your name and mailing address. You must check one of the boxes that indicates your relationship to the Respondent. If you are the managing agent of the premises that is the subject of the violation, you must attach a letter from the owner designating you as such. If you are a new owner, you must attach a copy of a deed.

2. Person Who Performed the Work

- Complete this section by inserting the date that all violating conditions were corrected. Check the box indicating who did the work to correct the violation and provide their name, address, company and license/registration information (if done by a licensee, professional or registered contractor).
- You must **attach a notarized statement** describing the work done to correct the violating condition(s). You must also attach copies of all permits, bills, receipts, photographs, and/or documentary proof that the violating condition(s) have been corrected.

3. Cure Submission

- Some violations are eligible for a zero penalty if corrected and certified in a timely manner. This is commonly referred to as a "CURE." **IF A VIOLATION IS ELIGIBLE FOR "CURE" YOU MAY AVOID A HEARING AND PENALTY.** In order to do so, you must correct **all** violating conditions, submit a Certificate of Correction to the Department, and receive a Certificate of Correction Approval by the "CURE DATE" listed on your NOV. **A "CURE" is an admission of the specific charge(s) on the NOV and a waiver of any and all defenses and appeal to the charge(s).** If you do not wish to admit the charge (s), you must appear at your scheduled hearing to present your defense. If you have not corrected all of the illegal conditions cited on the NOV to the satisfaction of Buildings, your submission will not be accepted for "CURE" and you must appear at your hearing.

4. Statement of Signature

- Sign the Certificate of Correction before a Notary Public.
- Return the original Certificate of Correction form in person or by mail, with all supporting documents, to **NYC Department of Buildings, Administrative Enforcement Unit, 280 Broadway, 5th Floor, New York, N.Y. 10007.** In-person window hours of operation are Mondays - Fridays, 9:00 a.m. - 4:00 p.m.
- For additional information, or for assistance in completing the form, call (212) 566-2850. You may also review the "ECB Violations Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

NOTE: Failure to appear for an ECB hearing on the violation, when required, will result in an automatic default judgment and the imposition of higher (default) penalties.