



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N.Y. 10013

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Issuance # 276

OPERATIONS
POLICY AND PROCEDURE NOTICE # 2/91

To: Distribution
From: Barry G. Cox
Date: 9 January 1991
Subject: Procedure to Administratively Dismiss Complaints
and Violations

Superseded:

Issuance # 4, dated May 22, 1979.

Purpose:

To dismiss old non-hazardous complaints and old violations.

Effective Date:

Immediate

Procedure:

1. **Complaints**

Open complaints which are more than one (1) year old shall be reviewed by the Administrative Chief Inspector or Assistant Chief Inspector. Any complaint which even potentially appears to involve a safety issue shall be assigned for inspection. All other complaints more than one (1) year old shall be cancelled without inspection.

An "Inspection Report Form" (Form IN-1B) for the complaint shall be completed and signed by the reviewing inspector using the disposition code "xx". A notation shall be made by the inspector that the complaint was dismissed in accordance with PPN 2/91.

2. DOB Violations

- a. All non-hazardous violations which are more than three (3) years old and are not Local Laws 5/73, 10/80, 10/81, or 16/84 violations shall be reviewed by the Borough Construction Chief or Assistant Chief in consultation with the Borough Commissioner. The Borough Construction Chief shall send to the Assistant Commissioner for Borough Operations a memo indicating the number of violations he/she intends to dismiss. The Assistant Commissioner will then authorize the Chief to dismiss them consistent with this PPN.
- b. When the violation is to be administratively cancelled, the BIS System shall be updated and a copy of the cancelled violation filed by address. Where the violation involves a city agency a cover letter shall be sent to the city agency with a copy retained in the violation file.

The BIS system shall be updated to reflect the violation's dismissal. The clerk will "call-up" the following screens:

Select Index (Option A) on Main Menu
Select Data Entry (Option B) on Index System Main
Menu
Select Violations (Option B)
and Dismissal (Option 3) on Data Entry Screen

The code PPN 2/91 shall be entered in the agency license field.

BGC:JMc:mh