

## 1 RCNY §40-42

### CHAPTER 40 INSTALLATION AND MAINTENANCE OF GAS-FUELED WATER AND SPACE HEATERS IN ALL PORTIONS OF DWELLINGS USED OR OCCUPIED FOR LIVING PURPOSES

#### Subchapter

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#### Subchapter D *Installation of Gas-Fueled Heaters*

##### **§40-42 Maintenance of Space and Water Heaters.**

(a) The owner of the tenement or converted dwelling and of the one and two family dwelling in which gas-fueled space and water heaters have been installed by him shall maintain each such appliance in a condition of good repair and in good operating condition.

(b) On and after November 1, 1958, in any tenement and converted dwelling which contains ten or more apartments, and on and after November 1, 1959, in any other tenement and converted dwelling, where a tenant provided a space or water heater on October 1, 1957, each such appliance shall be made to comply with all the applicable requirements of these rules and shall be maintained in a condition of good repair and in good operating condition by the tenant.

(c) Should a tenant fail to comply with the requirements of subdivision (b) of this section, it shall be the duty of the owner of the tenement or converted dwelling to provide centrally supplied heat and a supply of hot water, or if such apartment is eligible therefore [*sic*] and he so elects, to install and continuously maintain space and water heaters therein which shall comply with the requirements of these rules.

(d) On and after November 1, 1958, in any tenement and converted dwelling which contains ten or more apartments, and on and after November 1, 1959, in any other tenement and converted dwelling, where gas-fueled space or water heaters were provided by the tenant, and the ownership of such appliances passes from the tenant or successor tenant, or if any such space or water heaters are removed from gas-fueled space or water heater, or temporarily for the purpose of repairs, then such an apartment, except for the purpose of immediate replacement by another owner will be subject to the duties imposed on an owner by subdivision (c) of this section.