

# Window Guards

They Save Lives. They're the Law.

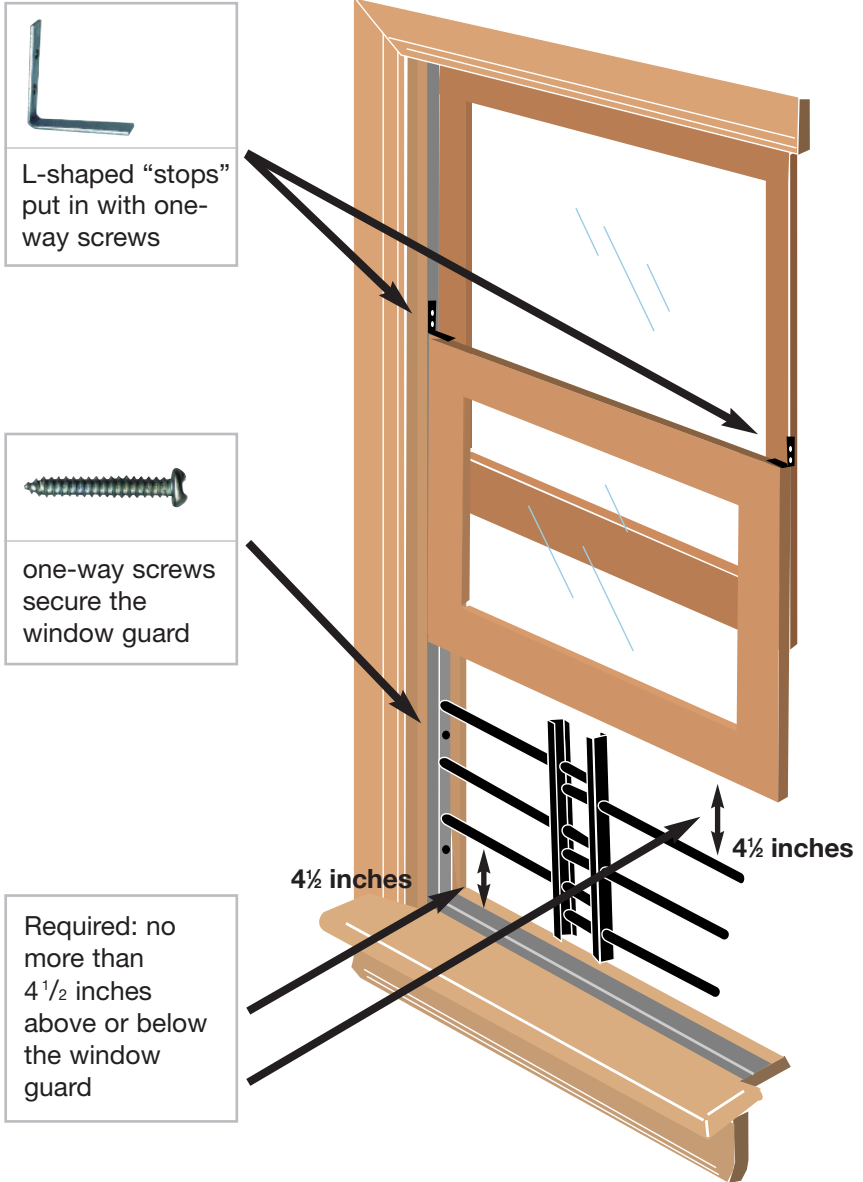


**E**very year, children fall from windows in New York City. Some die. Others are badly hurt. Even a fall from a first-floor window can kill a child! Window falls can happen in a second. But window guards can prevent them.

Screens keep bugs out, but they do *not* prevent window falls. Only window guards prevent window falls.

All window guards must be approved by the Department of Health and Mental Hygiene.\* And every window guard must be *put in right* and *screwed in tight* with one-way or tamperproof screws. *It's the law!* Make sure your window guards are 1) approved, and 2) properly installed.

## An approved, properly installed window guard



\*All approved Window Guards carry a Department of Health and Mental Hygiene approval number (example: HDWG 03-77-15) and the manufacturer's model number (example: 1123-S). Look for these 2 numbers on one of the bars.

## Landlords **MUST** install and maintain window guards



**If you live in a building that has 3 or more apartments, and a child age 10 years or younger lives with you**, window guards are required (even on the first floor). Every window in the apartment must have a window guard, except windows leading to fire escapes. In buildings with fire escapes, window guards must be left **off** one window in each ground-floor apartment so

the window can be used as an emergency exit. All public hallway windows must have window guards, too.

**Even if you do *not* have a child 10 or younger living with you, you still can have window guards if you want them.**

For example, you might want window guards to protect children who visit or for whom you care, including children with special needs. You don't have to give a reason. If you ask for window guards, they have to be installed. But, remember, if a child 10 years of age or younger lives with you, there is no choice — they **MUST** be installed. *It's the law!*

Landlords — NOT you — must install and repair all window guards.\*

If a child age 10 or younger lives in your apartment, the law says you must:

- Tell the landlord
- Allow the landlord to install window guards
- Not take down, change, or remove any part of a window guard

## Landlords must also provide window guard notices

Window guard notices tell landlords which apartments require window guards. All tenants who get them have to complete and return them to the landlord. ***It's the law.***

When you sign a lease, your landlord must give you a form that says **WINDOW GUARDS REQUIRED: Lease Notice to Tenant**. Your landlord must give you the lease notice within the first 30 days after you start renting. It is part of your lease.

Every year after that, between January 1 and January 16 (or earlier with your January rent bill), your landlord must give you another notice to fill out and return to let the landlord know if a child 10 years of age or younger lives in your home, or if you want window guards for any other reason. This notice has **ANNUAL NOTICE TO TENANT OR OCCUPANT** on top. You **MUST** return this notice promptly. Both notices may also ask about the ages of the children living with you to determine the need for lead paint inspections.

**If you own or live in a co-operative** and you need or want window guards, the management — *not you* — must install and maintain them.

**If you own a condominium** and need or want window guards, *you — the owner* — are responsible for installing and repairing them. (Some condo managers do install window guards in apartments, although it is the owner's responsibility. Check with your manager.) Halls in the condo are always the management's responsibility.

\* The New York State Division of Housing and Community Renewal has established the following scale of a pass-along fee for rent controlled and rent stabilized apartments which may be imposed a month after the installation of window guards: a one time \$10.00 per window guard maximum fee which may be pro-rated or amortized over a period of one year, two years, or three years, in equal monthly payments according to the option elected by the tenant. For more information, call the New York State Division of Housing and Community Renewal at 718-739-6400.

## Window guards **MUST** be *put in right and screwed in tight*

Only window guards approved by the Department of Health and Mental Hygiene can be installed. They must be made of strong metal. And they must — by law — be *put in right* and *screwed in tight*. Otherwise they won't work.

- If a window guard feels loose when you push and pull the bars, it could fall out when a child leans or climbs on it.
- A window guard must be screwed in tight on both sides with one-way or tamperproof screws approved by the Department of Health and Mental Hygiene. If it is loose on *either* side, it has not been put in right.
- If the window guard is screwed into a rotting or loose window frame, it could come loose or fall out.
- On regular (double-hung) windows, 2 L-shaped stops should be screwed into the window tracks — one on each side — to keep the bottom window from opening too high. If the 2 L-shaped stops are not there, the window guard is not safe. **It is against the law to take out the L-shaped stops, the screws, or any part of the window guards.**
- When the L-shaped stops are properly installed, there must be no more than 4½ inches of space above or below the window guard, even when the window is all the way open. There should be *no* space big enough for a baby's head to get through. If a 5-inch ball can fit through *any* window opening, the window guard has not been put in right.
- Your apartment might not have regular (double-hung) windows. **If you have a different kind of window**, special window guards or alternative stopping devices approved by the Department of Health and Mental Hygiene must be used.

## If you live in a 1- or 2-family house . . .

Owners of 1- and 2-family houses are not required by law to install window guards — even if children 10 years of age or younger live in the house or apartment.

Children fall from windows in 1- and 2-family homes every year. Even falls from the ground floor can badly hurt or kill a child. If you own your house, you can have window guards installed or do it yourself.

**If you rent an apartment in a 1- or 2-family house, you can ask the owner or landlord** to put in window guards. You can offer to pay for the window guards. And you can ask the landlord to let you have them installed, or to let you do it yourself.

### Protect children from window falls

- NEVER leave a child alone in a room where there are open windows that do not have window guards.
- If your window guards aren't installed yet, keep your bottom windows closed. Open only your top windows for fresh air.
- Keep furniture that children can climb on away from all windows.
- NEVER let a child play:
  - On a fire escape
  - On a roof
  - In halls with windows that do not have window guards
  - Near elevator shafts
  - Near steps or stairs

To get window guards installed, call your landlord or management company.

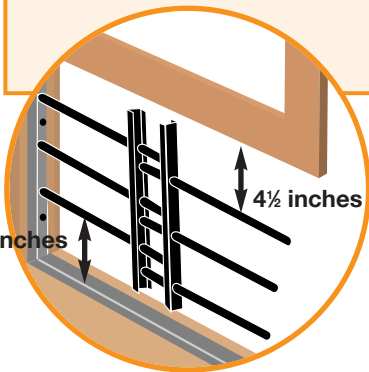
Call 311 or visit [nyc.gov/health](https://www.nyc.gov/health) for more information, including:

- What to do if a landlord doesn't properly install or maintain window guards
- Help with window guards and stops for sliding, casement, and other non-double-hung windows
- A copy of New York City's laws on window guards



## Window Guards

They Save Lives. They're the Law.



Use this line to check for 4½ inch space



Department of  
Health & Mental  
Hygiene  
[nyc.gov/health](https://www.nyc.gov/health)

Department of  
Housing Preservation  
& Development  
[nyc.gov/hpd](https://www.nyc.gov/hpd)