

The City of New York  
**DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT**  
Division of Code Enforcement

**DISMISSAL REQUEST FORM**

**1. BUILDING TO BE INSPECTED**

Building Address: \_\_\_\_\_ Borough: \_\_\_\_\_

Number of Dwelling Units: \_\_\_\_\_ Property Registration Number: \_\_\_\_\_

Violation Numbers to Be Inspected:

- ALL
- ONLY \_\_\_\_\_

**2. REQUESTOR INFORMATION**

Name (Print): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: ( ) \_\_\_\_\_ Email: \_\_\_\_\_

Requestor is: (Check applicable box)  Owner  Managing Agent

The requestor must be a person designated on the Property Registration as the owner or responsible party.

Name (Printed): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**3. CONTACT INFORMATION (TO SCHEDULE INSPECTION)**

NAME \_\_\_\_\_

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

**CODE ENFORCEMENT BOROUGH OFFICES**

Manhattan: 94 Old Broadway, 7<sup>th</sup> Floor, New York, N.Y. 10027

Bronx: 1932 Arthur Avenue, 3<sup>rd</sup> Floor, Bronx, N.Y. 10457

Brooklyn: 701 Euclid Avenue, Brooklyn, N.Y. 11208

210 Joralemon Street, Room # 809, Brooklyn, N.Y. 11201

Queens: 120-55 Queens Boulevard, 1<sup>st</sup> Floor, Kew Gardens N.Y. 11424

Staten Island: Borough Hall, 10 Richmond Terrace, 2<sup>nd</sup> Floor, St. George, N.Y. 10301

**THIS SECTION IS FOR CODE ENFORCEMENT USE ONLY**

Date received: \_\_\_\_\_ Number of violations pending: \_\_\_\_\_

\_\_\_\_\_ Mail \_\_\_\_\_ Walk-In \_\_\_\_\_ Accepted \_\_\_\_\_ Rejected

Inspection Report Due Date: \_\_\_\_\_

Note: \_\_\_\_\_

\_\_\_\_\_ This form was processed by: \_\_\_\_\_

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**DISMISSAL REQUEST FORM INSTRUCTIONS**

The Dismissal Request Program provides owners and managing agents with an opportunity to have their property inspected for the purpose of having corrected violations dismissed and no longer listed as open violations in the Department of Housing Preservation and Development's ("HPD") records.

A Dismissal Request form may be rejected by HPD when: there is no current or valid Property Registration for the building which is the subject of the form ("subject building"); there is an unpaid emergency repair charge for repairs performed by or on behalf of HPD; when the owner, managing agent, or subject building is the subject of pending HPD-related litigation; when the owner, managing agent, or subject building is the subject of an uncollected judgment arising from HPD-related litigation. If you are the owner of a one or two family home that is not required to register because you reside at the property, or you are a condominium or cooperative owner who is seeking violation dismissal only for violations in your apartment, please complete the Dismissal Request Affidavit of Ownership (the last page of this document) with your Dismissal Request.

You should also submit all documents required for violation clearance. See pages 4 and 5 for more instructions related to required documentation. If the Dismissal Request form is accepted by HPD, the agency will use its best efforts to inspect the subject building and mail the results of the inspection to the requestor within 45 business days of HPD's receipt of the Dismissal Request form when submitted between June 1<sup>st</sup> and September 30<sup>th</sup> or 90 business days of HPD's receipt of the Dismissal Request form when submitted between October 1<sup>st</sup> and May 31<sup>st</sup>. If an inspection report is not timely mailed, the Dismissal Request fee will be refunded and the inspection results will be provided to you as soon as possible thereafter. A maximum of two attempts will be made to inspect all violations that are part of the Dismissal Request. A Dismissal Request inspection may, if conditions warrant, result in the issuance of additional violations. **CORRECTED VIOLATIONS THAT ARE NOT INSPECTED WILL NOT BE DISMISSED AND WILL REMAIN AS OPEN VIOLATIONS IN HPD'S RECORDS. YOU MUST MAKE ALL EFFORTS TO ASSIST HPD INSPECTORS IN OBTAINING ACCESS.**

**Section 1:** Provide the address of the subject building (house number, street name and borough) and the number of dwelling units it contains. If the subject building has more than two dwelling units or two dwelling units but neither the owner nor his/her family reside at the property, you must indicate the Property Registration number. (For more information on Property Registration, go to [www.nyc.gov/hpd](http://www.nyc.gov/hpd).) All violations on record will be inspected unless specific violations are indicated.

**Section 2:** Provide your name, mailing address, daytime telephone number, and e-mail address. The inspection results will be mailed via first class mail to this address. Indicate whether you are the owner or managing agent of the subject building by checking the appropriate box. A Dismissal Request form will only be accepted **if signed** by the owner or managing agent of the subject building. A Dismissal Request form may be submitted to the Code Enforcement Borough Office by mail or in person. Sign and date the form.

**Section 3:** If the inspection(s) should be scheduled with someone else, indicate your authorized person's name, telephone number and email address.

**Fees:** Each Dismissal Request must be accompanied by a fee for a scheduled amount based on the dwelling classification and number of open violations at the time the Dismissal Request form is submitted to the Code Enforcement Borough Office, as follows:

<b>Dwelling Classification</b>	<b>Fee</b>
Private Dwelling (1-2 units).....	\$ 250
Multiple Dwelling (3+ residential units) with 1 - 300 open violations.....	\$ 300
Multiple Dwelling with 301 – 500 open violations.....	\$ 400
Multiple Dwelling with 501 or more open violations.....	\$ 500
Multiple Dwelling Active in the Alternative Enforcement Program (AEP)	\$1000

**Submission:** For buildings that are not in the Alternative Enforcement Program, mail or deliver the completed Dismissal Request form with a certified check or money order, made payable to the NYC Department of Finance, to the Code Enforcement Borough Office in the borough where the subject building is located. Please indicate the Property Registration number on the check or money order. AEP Dismissal Requests must be submitted (with the certified check or money order made payable to the NYC Department of Finance) to the Alternative Enforcement Program at 100 Gold Street, 4<sup>th</sup> Floor, New York, NY 10038.

**Post-Dismissal Request Inspection Self-Certification**

During a Dismissal Request inspection, if Code Enforcement inspectors gain access to at least 50% of the violations **AND** at least 75% of those violations are observed corrected, pending violations that were not inspected may be dismissed through a self-certification (“CV-1”) process, subject to the information concerning the self-certification process described below.

Violations that were written as order numbers 80, 81, 81-b, 491, 495, 503, 521, 522, 526, 530, 555, 567, 610, 611, 612, 616, 617, 618, 701, 702, 703, 741, 746, 750, 761, 762, 790, 791, 803, 821, 822, 826, 830, 867, 1001, 1002, 1003, 1041, 1046, 1061, 1062, 1492, 1493, 1501, 1502, 1503, 1504, or 1505 or that exist in a public area **CANNOT** be dismissed through the self-certification process. Violations that require documentation may be dismissed through the self-certification process **ONLY** when required documentation is filed with HPD. Form DR-1a details required paperwork that you must include with CV-1 documentation or specific violation types (order numbers). The self-certification “CV-1” form is available at each Code Enforcement Borough Office. All submissions of the CV-1 must be completed within 45 days of the date on the Dismissal Request Results document which is sent to the owner at the conclusion of the Dismissal Request inspection.

**WARNING: Offering any type of benefit to a Housing Inspector in order to influence his or her official action is a crime. Housing Inspectors will report such offers to the City's Department of Investigation. Violators will be prosecuted.**

## **DISMISSAL REQUEST- VIOLATIONS REQUIRING DOCUMENTATION**

Included among the outstanding violations for which you may request a Dismissal Request may be violations that require the submission of documents prior to dismissal. Below, please find outlined a description of these violations and an explanation of how you can comply with the violation. All HPD forms are available online at any Code Enforcement Borough Office (see back) or online at <http://www1.nyc.gov/site/hpd/owners/compliance-clear-violations.page>.

### **LEAD-BASED PAINT HAZARD VIOLATIONS**

- Lead-based paint violation dismissal requires: The correction of the conditions using appropriate work methods and workers. More information on how to correct lead-based paint violations is available at <http://www1.nyc.gov/site/hpd/owners/Lead-Based-Paint.page>.
- The owner's submission of verifying documents about how work was done.
- An HPD Inspector's verification that the condition has been corrected (physical inspection by HPD).

Lead-based paint violations have been issued under several different lead laws over the past 30 years. The laws required different methods of correction and different documentation to support the correction. If the deadline to correct and certify such a violation has passed, the owner cannot certify correction. The next steps that the owner must take will depend on whether the violation was certified and whether an inspection has already been conducted by HPD. For more instructions on how to proceed for your particular building, go to [HPDONLINE](#). Enter your building address and select Overdue Lead-Based Paint Violations from the left hand column. You will be presented with the list of violations that are open and next steps. If the violation had not been certified, you must submit one of the following affidavits based on when the work was completed. The instructions for each affidavit indicate what additional documentation is required.

**AF-5:** [Affidavit of Compliance: Lead-based paint violations – for work completed after August 1, 2004](#)

**AF-3:** [Affidavit of Compliance: Lead-based paint violations – for work completed prior to August 1, 2004](#)

Both affidavits are available on-line at [www.nyc.gov/hpd](http://www.nyc.gov/hpd) or by contacting a [Borough Office](#) or by calling the Lead Hotline at (212) 863-6458. In addition to submitting the affidavit, read the affidavit instructions carefully to understand what documentation must be submitted.

If you choose to proceed with your Dismissal Request without producing this documentation, HPD may commence further action to identify and address any remaining lead violation. Such action may include taking dust wipe samples from areas in units where pending lead-based paint hazard violations appear to have been corrected and contracting for cleaning and retesting if lead dust is found in those areas. You will be held responsible for any expense HPD incurs in the course of determining whether a lead-based paint violation still exists and correcting it if you do not provide necessary documentation of work methodology.

**OTHER VIOLATIONS REQUIRING DOCUMENTATION FOR DISMISSAL**

<b>Order Number</b>	<b>Forms/Documents Required</b>
<b>703</b> (Smoke Detectors)	File a “Smoke Detectors - Certificate of Installation” or a “Smoke and Carbon Monoxide Detector - Certificate of Installation” form in accordance with Title 27, Chapter 2, Subchapter 2, Article 11 of the NYC Administrative Code and Title 28, Chapter 12 of the Rules of the City of New York . A Certificate of Installation form can be accessed at <a href="http://www1.nyc.gov/assets/hpd/downloads/pdf/Certificates-of-Installation.pdf">http://www1.nyc.gov/assets/hpd/downloads/pdf/Certificates-of-Installation.pdf</a>
<b>1501</b> (CO Detecting Device)	File a “Carbon Monoxide - Certificate of Installation” or “Smoke and Carbon Monoxide Detector - Certificate of Installation” form in accordance with Title 27, Chapter 2, Subchapter 2, Article 11 of the NYC Administrative Code and Title 28, Chapter 12 of the Rules of the City of New York or complete the online filing at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a> . A Certificate of Installation form can be accessed at <a href="http://www1.nyc.gov/assets/hpd/downloads/pdf/Certificates-of-Installation.pdf">http://www1.nyc.gov/assets/hpd/downloads/pdf/Certificates-of-Installation.pdf</a> If your building does not require carbon monoxide detectors in whole or in part, you may file an exemption form, which can be accessed at <a href="http://www1.nyc.gov/assets/hpd/downloads/pdf/affidavit-exemption-form.pdf">http://www1.nyc.gov/assets/hpd/downloads/pdf/affidavit-exemption-form.pdf</a>
<b>780</b>	File with this department a “Property Registration” form. You can complete this form online at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a> , but the property owner and managing agent must sign and date the form appropriately and submit a signed copy to HPD. There is a \$13 fee associated with this form which can be paid to the Department of Finance. See HPD’s website at <a href="http://www.nyc.gov/hpd">www.nyc.gov/hpd</a> for more information about Property Registration.
<b>491/494/495/741</b> (Alterations)	If you have legalized an alteration, you must provide plans and permits approved by the Department of Buildings. If you have remove the alteration and restored the area to the legal condition, you do not need to provide documents.
<b>550 (mold)</b>	ONLY FOR ALTERNATIVE ENFORCEMENT PROGRAM (AEP) BUILDINGS. Contact AEP at (212) 863-8262 to obtain details about required documents.

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**DISMISSAL REQUEST AFFIDAVIT OF OWNERSHIP**

State of New York

County of \_\_\_\_\_

I, \_\_\_\_\_, swear or affirm under penalty of perjury as follows:

That I am: (CHECK THE APPLICABLE BOX)

- The owner of the private dwelling located at \_\_\_\_\_. I or a family member reside at the dwelling and therefore I am not required to file a Property Registration form.
- The owner of a condominium unit located at \_\_\_\_\_, apartment # \_\_\_\_\_.
- The owner of shares of a cooperative that owns the property located at \_\_\_\_\_, apartment # \_\_\_\_\_.

\_\_\_\_\_  
Signature

Sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_