

Instructions for Landlords:

Annual Notice to Tenant or Occupant in Buildings with 3 or More Apartments Protecting Children from Window Falls and Lead Poisoning

Landlords in multiple dwellings (buildings with 3 or more apartments) are legally required to send a notice to tenants or occupants every year to inquire about the ages of children living in the building. The notice contains a form that tenants must return. The notice also contains information about window guards and peeling lead paint.

Where can landlords find the annual notice?

Landlords must use a form approved by the Department of Health and Mental Hygiene (DOHMH). Landlords can obtain a copy of the form by calling 311 or visiting <http://www.nyc.gov/html/hpd/downloads/pdf/annual-notice-lead-window-guards-english-2007.pdf>

When should the annual notice be sent to tenants?

Landlords are required to send the annual notice to tenants no earlier than January 1 and no later than January 15 each year.

The notice may be delivered to tenants by:

1. First Class mail, addressed to the occupant of the dwelling unit,
2. Hand delivery to the occupant of the dwelling unit, or
3. Enclosure with the January rent bill, if such rent bill is delivered after December 15th but no later than January 16th.

What if tenant/occupant does not return the form?

If the landlord does not receive the completed form by February 15th, the landlord must inspect the occupant's apartment, giving reasonable notice and at reasonable times, to determine if a child of applicable age lives in the apartment. If there is a child 10 years or younger living in the apartment, the landlord must inspect the apartment to determine if window guards are installed and are in good repair. If between February 16th and March 1st, the landlord has made reasonable attempts but has been unable to gain access to apartment, the landlord must notify DOHMH.

What must the landlord do with the returned form?

The landlord must review the returned form to ascertain if a child of applicable age lives in apartments covered by window guard and/or lead paint laws. If a child of applicable age lives in a unit, the landlord must take appropriate actions, which may include inspecting the apartment, installing or repairing window guards, and/or fixing lead paint hazards using safe work practices. Landlords are also required to keep the completed form for a period of ten years.

Where can a landlord get more information?

For more information about the annual notice, windows guards, or lead paint, please call 311.