

BOROUGH \_\_\_\_\_ HOUSE NO. \_\_\_\_\_ STREET NAME \_\_\_\_\_

**CERTIFICATION OF CORRECTION OF VIOLATION(S)/HOUSING QUALITY STANDARDS FAILURE(S)**

Complete entire form and sign below.

State of New York

)SS:

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

I, \_\_\_\_\_ (PRINT NAME), swear or affirm under penalty of perjury as follows:

1. That I am the registered: (check applicable box)

- The Owner of the property
- An Officer of the Corporation that owns the property
- The Managing Agent of the property
- Otherwise registered as responsible for the property

2. If the building is a multiple dwelling, or I am the owner of a one- or two-family house and neither I nor any family member occupies the dwelling, that I am currently registered with the Division of Code Enforcement for the subject property.

3. That I have examined the area(s) containing the violation(s)/failure(s) on the reverse side of this form and, to my knowledge such violation(s)/failure(s) whose number(s) I have listed below was (were) corrected on the date(s) I have indicated.

4. That, if any of the violations require that bed bugs be remediated, I have complied with the Department of Health and Mental Hygiene Commissioner's Order, by inspecting the apartment(s) cited by the Order for bed bugs; that if there is a bed bug infestation in the apartment(s) cited, I have inspected all units adjacent to, above and below the infested units, and all common areas; that I have retained the services of a pest management professional certified and registered by the New York State Department of Environmental Conservation as necessary to remove bed bug infestations; and that I have kept records of all actions taken to comply with the Order and the violation(s).

5. That the following are the names and addresses of my agents /employees, including certified pest management professional(s) who performed the work to correct the violation(s)/failure(s) that I have certified as corrected (additional sheets may be attached if more space is needed):

NOV/NOF Number	Violation/Failure Number	Date Corrected	Name of Agent or Employee who Performed the Work	Address of Agent or Employee who Performed the Work

6. My signature below indicates that I am submitting a separate and distinct certification for each violation/failure listed above by Violation/Failure Number and I am aware that I am subject to penalties for false certification for each violation/failure certified on this form.

Sworn to me this

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

Signature

\_\_\_\_\_

\_\_\_\_\_

Phone Number

Notary Public

THE MAKING OF A FALSE CERTIFICATION IS A CRIME  
PUNISHABLE BY A FINE AND/OR IMPRISONMENT



## INSTRUCTIONS

**I. HOUSING MAINTENANCE CODE (HMC) AND MULTIPLE DWELLING LAW (MDL) PENALTIES**

You will be subject to the penalties described below unless you correct and certify the correction of violations by the dates indicated on the front of this Notice of Violation(s).

CLASS A violations (non-hazardous) \$10-\$50 each  
 CLASS B violations (hazardous) \$25-\$100 each, plus \$10 per violation per day  
 CLASS C violations (immediately hazardous) not related to heat, hot water or illegal devices

- Buildings with 5 or fewer units: \$50 per violation per day
- Buildings with more than 5 units: \$50-150 per violation plus \$125 per violation per day

**II. FEDERAL HOUSING QUALITY STANDARDS (HQS)****OWNER/AGENT NON-COMPLIANCE**

Owners of units already receiving an HPD subsidy will have Housing Assistance Payments (HAP) suspended (abated) unless the HQS failure(s) marked "OWNER" are corrected and certified by the dates indicated on the front side of this notice. During the abatement period, you will not be able to collect HAP from HPD or the tenant. The tenant will only be responsible for his or her portion of the rent. It is a violation of federal regulations to sue tenants for non-payment of HPD's share of rent. Per Federal regulations, HPD must terminate the HAP contract for any unit in abatement for 180 days.

**TENANT NON-COMPLIANCE**

A tenant's rental assistance payment may be terminated if he/she does not correct HQS failures marked "TENANT" on the front of this Notice of Housing Quality Standards (HQS) Failure. Tenants will receive notice of these conditions and applicable correction dates. HPD will attempt to reinspect all failures marked "TENANT."

**III. HOW TO CORRECT** If you request, the Department will confer with you concerning the nature and extent of the work required for compliance with the law and methods of financing the required work. Contact information for HPD can be obtained at [nyc.gov/hpd](http://nyc.gov/hpd) or through 311.

**IV. HOW TO CERTIFY** Only an Owner, Managing Agent, Officer of the corporation that owns the property or party otherwise responsible for the property listed on a valid Property Registration filed with the Department may certify the correction of a violation.

- Electronic Submission (Non-Lead Violations/Failures only): Login to [nyc.gov/hpd](http://nyc.gov/hpd) and click on the *eCertification* link. You will be required to enroll once for each building for which you wish to use electronic certification. After your valid enrollment is received you will be able to immediately begin certifying violations/failures electronically.
- Manual/Mail Submission: The AGENCY copy must be hand delivered or postmarked on or before the earliest Certification Date provided on the Notice of Violation/ Notice of Housing Quality Standards (HQS) Failure and be properly completed in order for your certification to be valid for both. You can obtain additional copies of the CERTIFICATION OF CORRECTION OF VIOLATION(S)/HOUSING QUALITY STANDARDS FAILURE(S) on HPD's website [nyc.gov/hpd](http://nyc.gov/hpd) if you wish to only certify some of the violations /failures at this time and certify the remainder at a later date.
  - Complete and sign the Certification of Correction form on the back of the AGENCY copy and have your signature notarized.
  - Return the AGENCY copy to the office of the Division of Code Enforcement in the borough in which the building is located by registered or certified mail, return receipt requested, or in person.

**FALSE CERTIFICATION IS A CRIME! THE HOUSING MAINTENANCE CODE PROVIDES FOR A FINE OF UP TO \$1000, IMPRISONMENT FOR UP TO A YEAR, OR BOTH, FOR WILLFULLY SUBMITTING A FALSE STATEMENT. YOUR HAP PAYMENT WILL BE SUSPENDED IMMEDIATELY.**

**V. HOW TO REQUEST A POSTPONEMENT** You may request that the Department extend the date to correct violations/failures if there are valid reasons why you cannot complete the work within the time frame. These requests may be sent to the Postponement Unit, Division of Code Enforcement, 100 Gold Street, 5th floor, New York, NY 10038. Such requests must be received before the required correction dates and include: the building address, a copy of the Notice of Violation/ Housing Quality Standards (HQS) Failure, the reason for making the request for a postponement, and documentation supporting your claim that you have taken all necessary steps to complete the work on time. You will be advised in writing regarding the approval or denial of your postponement request.

**VI. IF A VIOLATION/FAILURE IS MARKED "Surface May Contain Lead-Based Paint"** the area affected by a non-lead violation includes a painted surface. Unless XRF testing establishes that the paint on that surface does not contain lead, the law presumes that the paint is lead-based paint. HPD may issue a separate violation for a lead-based paint hazard. You should read HPD's "Guide to Local Law 1 of 2004 Work Practices," which describes the work practices and worker training required to make repairs safely, before correcting the non-lead violation. If you do not use mandated work practices, the law may prevent you from certifying correction of the lead-based paint hazard violation. If the non-lead violation is a class "C" violation, you must use mandated work practices to the extent practicable to address any immediate danger. Call 311 or go to HPD's website, [nyc.gov/hpd](http://nyc.gov/hpd), for additional information about lead-based paint hazards.

**VII. VIOLATION SUBJECT TO AN INSPECTION FEE** Local Law 65 of 2014 added section 27-2115(f)(8) to the NYC Housing Maintenance Code to authorize HPD to impose a fee for the third and each subsequent complaint-based housing inspection it performs in a particular dwelling unit where HPD has already inspected the unit twice in the same 12-month period, has issued hazardous (class B) or immediately hazardous (class C) violations, and the owner has failed to repair and timely certify that those violations have been corrected. The fee, if not paid, becomes a tax lien against the property.

