

This presentation is for informational purposes only and is not intended as legal advice or as a statement of the law. For more information about what is required, see the Multiple Dwelling Law, Housing Maintenance Code, and the Rules of the City of New York.

Indoor Allergens in NYC Housing: Pests and Mold

Your Speaker

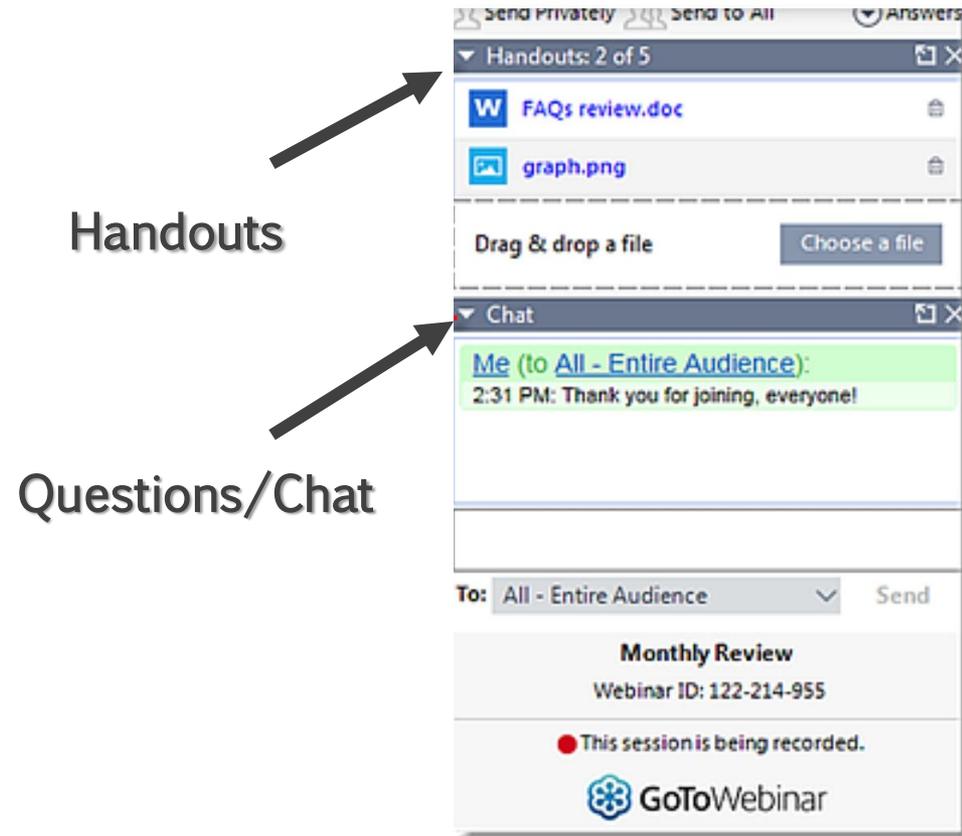


Kristen Sprotte, Trainer with the NYC Department of Housing Preservation and Development's Office of Enforcement and Neighborhood Services (OENS)

WEBINAR SUPPORT: *Jesse Laufer*, Senior Trainer

Quick Tour: Webinar Resources

- Chat
- PDF resources in sidebar
- Survey at end
- A recording of this session will be available a few days after the Webinar is scheduled



DISCLAIMER



This presentation is for informational purposes only and does not constitute legal advice. This presentation is not a complete statement of building owners' responsibilities relating to indoor allergens or any other topic.

Our target audience: Building Owners who want to know more about Local Law 55 and how it affects them.

Agenda

1. Summary of Recent Laws for Pests and Mold
2. Basic Themes of Recent Laws for Pests and Mold
3. Pests:
 - a. Identify the Problem: Indoor Allergens
 - b. Identify the Problem: Bedbug Filing
 - c. Required Work Methods
 - d. Contractor Controls
 - e. Clearing HPD Violations
4. Mold:
 - a. Identify the Problem
 - b. Required Work Methods
 - c. Contractor Controls
 - d. Clearing HPD Violations
5. Additional Resources



Part 1: Summary of Recent Laws for Pests and Mold

Why is removing
Indoor Allergens
important for the
health of NYC
residents?



Recent Laws

Pests	Mold
<p>NYC Local Law 55 of 2018 (Mold and Pests)</p>	
<p>NYC Local Law 69 of 2017 (Bedbug Filing)</p>	<p>New York State Labor Law Article 32</p>
	<p>NYC Local Law 61 of 2018</p>

Broadest New Law: Local Law 55 of 2018

The Asthma-Free Housing Act

Main features:

- **Purpose:** To remove indoor environmental triggers in the home
- **Buildings affected:** Only covers Multiple Dwellings (buildings with 3 or more dwelling units) or any type of housing where a tenant with asthma lives (enforced by NYC Health Dept).
- **Areas of Concern:** Identifies Mold/Mice/Rats/Roaches as 'Indoor Allergens'.
- **Required**
 - **Owner Inspections:** Owners must inspect occupied units and common areas for Mold/Mice/Rats/Roaches at least every year.
 - **HPD questions:** HPD Inspectors must ask tenants about Mold/Mice/Rats/Roaches at every unit inspected.
 - **Work methods:** Introduces required work methods to remediate pest and mold violations.
- **Additional clearance procedures:** Introduces stricter standards for reinspection and violation clearance in keeping with new required work methods.

Additional New Laws: NY State Labor Law Article 32 – Mold remediation

Main Features:

- Applies to **any** mold remediation being conducted by a third party.
- **Contractor Standards:** Requires Mold Assessors and Remediators to be properly trained, licensed, and adhere to minimum work standards.
- **Independence:** Requires separate Mold Assessment, Remediation, and Post-Remediation Assessment for each job, and requires the Assessor and Remediator to be independent of each other.
- **Exception:** Provides an exception where owners or their agents who perform the work themselves do not have to follow the above standards.

Additional New Laws: Local Law 61 of 2018 – Mold Remediation

Main features:

- For buildings with 10 or more residential units:
 - *Requires* owners or their agents to hire outside Mold Assessor and Remediator contractors for all mold projects greater than 10 square feet (regardless of whether or not HPD issues a violation).
 - *Requires* Mold Assessors and Remediator contractors to file reports with NYC Dept. of Environmental Protection for each project.

Do's & Don'ts of Local Law 55



DO

- Proactively speak with tenants and address issues immediately
- Use approved work methods if completing work on your own
- Check deadlines for NOV (Notice of Violation) or there will be additional steps necessary to clear violation

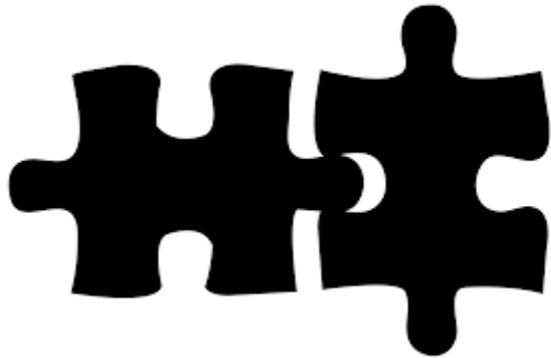
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DON'T

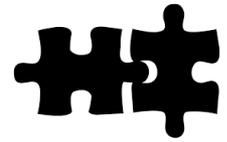
- Assume you can fix all Indoor Allergen without a license
- Fill out your NOV (Notice of Violation) without reading it carefully as the instructions have been updated

Image Source: <http://bit.ly/2SjLmom>



Part 2:

Basic Themes of Recent Laws for Pests and Mold



The New Laws Affect Rules for Pests and Mold in Four Main Ways:

Pests

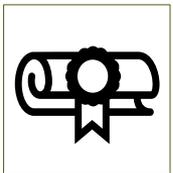
Mold



- New requirements for **Identifying the Problem**



- **Stricter Required Work Methods**



- **New Contractor Controls**



- Additional steps for **Violation Clearance**



Identify the Problem

Various laws require Owners to notify tenants of their rights, inquire periodically about specific conditions, and make inspections based on tenant responses:

- Lead-based paint (child under 6);
- Window guards (child under 11);
- Stove knob covers;
- Mice, rats, roaches, mold and bedbugs.**

Beyond the specific requirements above, the best way to keep apartments in good repair and avoid HPD violations is to *always* maintain good communications with tenants wherever possible and address conditions in a timely fashion.



Work Methods

There are two main themes to the required work methods for both Pests and Mold:

- (1) Do not create *another* hazard while removing the original one**
 - Use dangerous chemicals safely and minimally.
 - Prevent the spread of contaminated debris while work is being done.
 - Thoroughly clean sites after work is done.

- (2) Address the problem at its source**
 - Restrict pests' movement and access to food and water.
 - Remove sources of moisture that allow mold to grow.

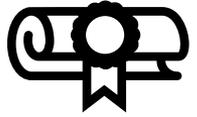


Work Method Spotlight: HEPA vacuum

Pests Mold



- “High-Efficiency Particulate Air” vacuum
- Local Law 55 requires the use of HEPA vacuums for cleaning up pest and mold sites. HEPA vacuums have:
 - A HEPA filter, which captures an extremely high percentage of very small particles.
 - An airtight body, to prevent the small particles from immediately recirculating through openings in the vacuum body back into the air.
- A regular vacuum, even if using a HEPA filter, may not meet the stricter standards set by LL55.



Contractor Controls

Pests Mold

The new laws contain several provisions intended to help ensure that contractors are qualified and behave with integrity.

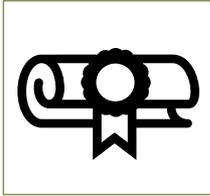
- (1) **Licensing:** Licenses are now generally required for contractors working with mold and pesticides.
- (2) **Checks and Balances (Mold Only):** The firm that *assesses* the mold condition must be independent from the firm that *remediates* the mold condition, and each firm must file written reports of their work with the Department of Environmental Protection.



Violation Clearance

*What's our best advice for clearing HPD violations?
Read and save your Notice of Violation package!*

- The procedure and paperwork required for clearing an HPD Mold or Pest violation will depend upon the type and class of violation and the number of units in a dwelling.
- The Notice of Violation (NOV) package you receive in the mail from HPD will contain *customized* instructions for clearing the referenced violations.



Part 3: Pests



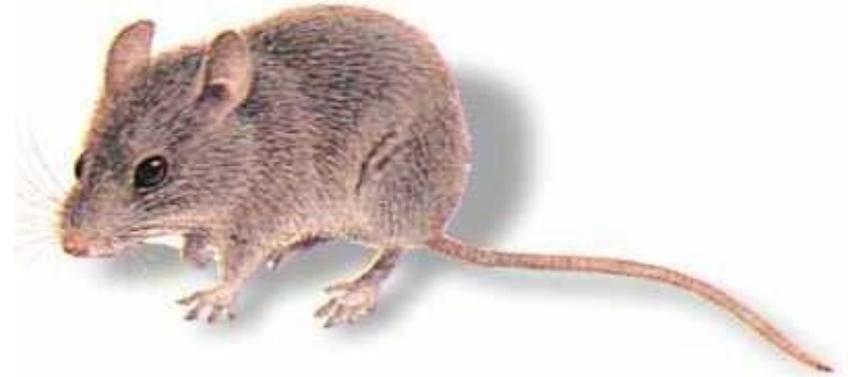
Identify the Problem

Indoor Allergens

Pests



Rats



Mice



Cockroaches

Other Pests (not considered Indoor Allergens by LL55)

Pests



Ants



Spiders



Bees



Moths



Flies



Bed Bugs





Owner Inspection and Notification: Local Law 55 requires owners of MDs to *proactively* address Pest issues

- Inspect each occupied apartment and all common areas for Indoor Allergen Hazards *at least* once a year.
 - There is no specific training required in order to conduct this inspection.
- In addition, inspect whenever you receive indications that an Indoor Allergen Hazard may exist, such as:
 - Occupant request for maintenance.
 - Occupant complaint to a City agency.
 - Receiving an HPD violation for a condition, such as a leak, that is likely to cause an Indoor Allergen Hazard.



Owner Inspection and Notification (Continued)

- Use approved work methods to remediate Indoor Allergen Hazards:
 - (1) Upon apartment turnover.
 - (2) Anytime your inspection identifies an Indoor Allergen Hazard.
- Provide two notices to tenants with every lease signing: **DOHMH Pamphlet** and **Indoor Allergens Notice** (see next page).

Owner Inspection and Notification: Documents to Provide at Every Lease Signing

What Tenants Should Know About Indoor Allergens (Local Law 55 of 2018)

Allergens are things in the environment that make indoor air quality worse. They can cause asthma attacks or make asthma symptoms worse. Common indoor allergens, or triggers, include cockroaches and mice; mold and mildew; and chemicals with strong smells, like some cleaning products. Environmental and structural conditions, like leaks and cracks in walls often found in poorly maintained housing, lead to higher levels of allergens.

New York City law requires that landlords take steps to keep their tenants' homes free of pests and mold. This includes safely fixing the conditions that cause these problems. Tenants also play a role in preventing indoor allergens.

TENANTS SHOULD:



Keep homes clean and dry



Avoid using pesticides and chemicals with strong smells (e.g., cleaning products, air fresheners, etc.)



Place food in sealed containers, keep counters and sinks clean, and get rid of clutter such as newspapers and paper bags



Tell landlords right away if there are pests, water leaks, or holes or cracks in the walls and floors



Use garbage cans with tight-fitting lids



Let building staff into homes to make any needed repairs



Take garbage and recycling out every day, and tie up garbage bags before putting them in compactor chutes



Call **311** if landlords do not fix the problem or if repair work is being done unsafely

If you are a tenant and you or your child has asthma, and there are pests or mold in your home, your doctor can request a free home environmental inspection for you through the New York City Health Department's Online Registry. Talk to your doctor or call 311 to learn more.

For more information about building owner and landlord responsibilities and safely fixing indoor allergen hazards, see the reverse side of this fact sheet.

For more information about safely controlling asthma, visit nyc.gov/health/asthma.

LEASE/COMMENCEMENT OF OCCUPANCY NOTICE FOR INDOOR ALLERGEN HAZARDS

1. The owner of this building is required, under New York City Administrative Code section 27-2017.1 et seq., to make an annual inspection for indoor allergen hazards (such as mold, mice, rats, and cockroaches) in your apartment and the common areas of the building. The owner must also inspect if you inform him or her that there is a condition in your apartment that is likely to cause an indoor allergen hazard, or you request an inspection, or the Department has issued a violation requiring correction of an indoor allergen hazard for your apartment. If there is an indoor allergen hazard in your apartment, the owner is required to fix it, using the safe work practices that are provided in the law. The owner must also provide new tenants with a pamphlet containing information about indoor allergen hazards.

2. The owner of this building is also required, prior to your occupancy as a new tenant, to fix all visible mold and pest infestations in the apartment, as well as any underlying defects, like leaks, using the safe work practices provided in the law. If the owner provides carpeting or furniture, he or she must thoroughly clean and vacuum it prior to occupancy. This notice must be signed by the owner or his or her representative, and state that he or she has complied with these requirements.

I, _____ (owner or representative name in print), certify that I have complied with the requirements of the New York City Administrative Code section 27-2017.5 by removing all visible mold and pest infestations and any underlying defects, and where applicable, cleaning and vacuuming any carpeting and furniture that I have provided to the tenant. I have performed the required work using the safe work practices provided in the law.

Signed:
Print Name:
Date:



Pests: Identify the Problem Bedbug Inquiry and Filing



Bedbug Filing: 3 questions for each unit

Local Law 69 of 2017 requires owners to report building infestation history to HPD. Owners must inquire with each unit and ask the three below questions and record the answers. This will be used to create a “summary” of the results.

During the latest reporting period

1. Did the unit have bedbugs?
2. Were extermination measures taken in the unit?
3. Did the bedbugs come back after the last extermination attempt?

How to find out?

- (1) Use your own records;
- (2) Use HPD records (were any violations issued?); and
- (3) Inquire with tenants each year and record their answers.



Bedbug Filing: More Details

- Only required for Multiple Dwellings (buildings with 3 or more dwelling units)
- Annual Filing Period: December 1 – 31st
(for the previous November 1st – October 31st)
- **DOs:**
 - Report a *summary* of the info to HPD using the electronic filing system.
 - Share the *summary* w/ tenants, either by including the receipt of HPD filing with each new lease or lease renewal, or posting a copy of the summary in a building public area.
 - Arrange for extermination for tenants who report current infestations, using Integrated Pest Management.
- **DON'T:**
 - Share identifying information of specific units with a bedbug problem in your *summary*.



Pests

Required Work Methods



Required Work Method: Integrated Pest Management

Integrated Pest Management (IPM) focuses on:

- Eliminating pests' access to food and water.
- Eliminating pests' ability to travel within a building.
- Using low toxicity pesticides* and apply them in a manner that minimizes secondary exposure

IPM is the **safest *and* most effective way to fix an infestation problem.**

*Pesticides can only be administered by a licensed professional.



Integrated Pest Management (Continued)

- HPD and DOHMH recommend IPM for **all** pest infestations.
- LL 55 now *requires*:
 - Owners to use IPM when addressing *all* pest infestations in MDs.
 - Owners to specifically swear to the use of IPM when clearing a violation for Mice/Rats/Roaches.



IPM Work Methods required by Local Law 55: Address the problem at its source

Examples of how to do this:

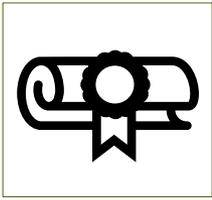
- Eliminate points of entry and passage – repair and seal holes and cracks that allow pests to move;
- Install door sweeps to reduce gaps to $\frac{1}{4}$ inch;
- Eliminate sources of water for pests by repairing drains, faucets, and other plumbing materials that accumulate water or leak.



IPM work methods required by Local Law 55: Do not create *another* hazard while remediating the pest condition

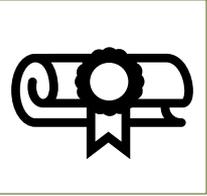
- Thoroughly remove pest remains (nests, waste, etc.) by washing and/or HEPA vacuum because:
 - Pest remains decompose into dust that can contribute to asthma.
 - Pest markings/nests/trails can also serve as pathways, making it easier for pests to re-infest an apartment.
- Use of pesticide cannot substitute for the methods described on the previous slide.

For more detailed info on IPM work methods or on finding a pest professional who practices IPM, consult the NYC Department of Health and Mental Hygiene.



Pests

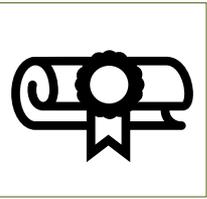
Contractor Controls



Contractor Controls: License required by Local Law 55

Local Law 55 stipulates that ‘any pesticide applied shall be applied by a pest professional licensed by New York state department of environmental conservation (DEC).’

Note There is no license or certification required to practice IPM, but a license *is* required to use any **pesticide**.



Finding a licensed Pest Management Professional (PMP)

New York State Department of Environmental Conservation website:
<http://www.dec.ny.gov/nyspad/?6>



Services News Government Local

Translate

Department of Environmental Conservation

Recreation Nature Prevent & Control Pollution Regulatory News & Learning Search

Bureau of Pesticides Management - Information Portal

Pesticide Professionals
 Restricted Pesticide Dealers
 Pesticides Business/Agencies

Businesses

Business Name:

Registration #:

Category:

Include Not-For-Hire Agencies

Location

State:

Region:

County:

City:

Showing 1 - 20 out of 4052 Businesses



Pests

Clearing HPD Pest Violations

QUICK REVIEW: Violations

- A citation issued to a building for not being in compliance with the law. Violations become the responsibility of whoever owns the building.

Violation Class	Type	Time owner has to correct from notice before civil penalties begin to accrue
Class A	Not Hazardous	90 days
Class B	Hazardous	30 days
Class C: Lead-Based Paint, Mold , Mice/Rats/Roaches or Window Guards	Immediately Hazardous	21 days
Class C: Heat or Hot Water	Immediately Hazardous	Immediately
Class C: (all others)	Immediately Hazardous	24 hours

QUICK REVIEW: Certification of Correction

- Once an Inspector has written a violation, HPD sends the building owner a Notice of Violation (NOV).
 - The NOV includes a document called a Certification of Correction.
- The **Certification of Correction** is a **paper** or **electronic document** filed with HPD by property owners or managing agents to affirm that the violation conditions cited on a Notice of Violation have been **corrected** within the legally required timeframe.
- Certification is FREE and will result in the dismissal of the violation if the condition was properly corrected.

*In order to receive a Notice of Violation as soon as possible and to begin work and certify the violation in a timely manner, register your address and contact information with HPD.

Summary: HPD Requirements for Clearing Pest Violations

		Violation Class	Integrated Pest Management?	Violation Clearance Docs	
				Certification	After Certification
Multiple Dwelling (3 or more units)	Rats	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	Mice	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	Roaches	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	All Other Pests	B	Required by law	Standard documents	
Private Dwelling (1-2 units)	Rats	C	Recommended	Standard documents	
	Mice	B	Recommended	Standard documents	
	Roaches	B	Recommended	Standard documents	
	All Other Pests	B	Recommended	Standard documents	

Notice of Violation (NOV) for Mice/Rats/Roaches in Multiple Dwellings which are 3+ units

“Pest” label

CIV 194 PEST (REV. 2/2019) AGENCY COPY

CERTIFICATION OF CORRECTION OF VIOLATION(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:

- That I am the registered: (check applicable box)
 - Owner of the property
 - Officer or Director of the Corporation that owns the property
 - Managing Agent of the property
 - Otherwise registered as responsible for the property
- 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.
- That I have examined the area(s) containing the violation(s) cited on the reverse side of this form and, to my knowledge such violation(s) whose number(s) I have listed below was (were) corrected on the date(s) I have indicated.
- That, I have complied with the integrated pest management and work practices in accordance with Administrative Code §27-2017.8 and 28 RCNY § 54-04(a), including hiring certified pest management professional(s), if necessary.

NOV ID	Violation Number	Date Corrected	Name of Agent or Employee who Performed	Address of Agent or Employee who Performed the Work

Owner must swear to use of Integrated Pest Management

General 'Non-Heat' Notice of Violation used for all other pest violations (including Mice/Rats/Roaches in PDs)

Pest violations other than Mice/Rats/Roaches in MDs are still included in the general 'non-heat' NOV, grouped with other violations of the same class.

In this example from 2018, a bedbug violation is included in a group of other 'B' class violations.

OHP Form 194 CIV
(Rev. 6/2013)

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT

NOV ID: 6310544



DCE/ BROOKLYN BORO OFFICE
701 EUCLID AVENUE
BROOKLYN, NY 11208

LOCATION	BORO	AREA	BLDG TYPE	REG. NO.	DATE REPORTED	CYCLE #	PAGE
[REDACTED] ROAD	BK	177	HAEA	[REDACTED]	11/07/2018	299449	1 of 1

NOTICE OF VIOLATION



All violations listed below are CLASS: **B**
All violations listed below must be CORRECTED by 12/19/2018
and CERTIFIED as corrected by 01/02/2019

VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
12749094	570	§ 27-2018 ADMIN. CODE: ABATE THE NUISANCE CONSISTING OF BEDBUGS LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST
12749104	530	§ 27-2005, 2007 ADM CODE ARRANGE AND MAKE SELF-CLOSING THE DOORS , IN THE ENTRANCE LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST
12749111	508	§ 27-2005 ADM CODE REPAIR THE BROKEN OR DEFECTIVE PLASTERED SURFACES AND PAINT IN A UNIFORM COLOR THE WALLS AND CEILING IN THE PRIVATE HALLWAY LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST

General 'Non-Heat' NOV still used for all other pests and for Mice/Rats/Roaches in Private Dwellings which are 1-2 units

CIV 194 NON-HEAT (REV. 11/2015)

"Non-heat" label

No statement swearing that IPM was used. (However, IPM is *still* required for all pests in MDs.)

CIV 194 NON-HEAT (REV. 11/2015)

AGENCY COPY

CERTIFICATION OF CORRECTION OF VIOLATION(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)

- Owner of the property
- Officer or Director of the Corporation that owns the property
- 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) on the reverse side of this form and, to my knowledge such violation(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) that I have certified as corrected (additional sheets may be attached if more space is needed).

NOV Number	Violation 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 listed above by Violation Number and I am aware that I am subject to penalties for false certification for each violation certified on this form.

Sworn to me this

day of _____

Notary Public

Signature

Phone Number

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

Printed on paper containing 30% post-consumer material.

Integrated Pest Management and Reinspections

For reinspections of **mice, rat and roach** violations, the Inspector will attempt to verify that the IPM methods required by Local Law 55 were used to remediate the condition.

For instance, an Inspector will '**Not Comply**' a violation if:

- Holes and cracks that allow pest entry have not been covered;
- Entrance doors that permitted pest entry have a gap of more than $\frac{1}{4}$ inch;
- Pest waste, droppings and debris have not been cleaned;
- Leaks and other water sources for pests have not been fixed.

Evidence of Roaches



Cockroach eggs



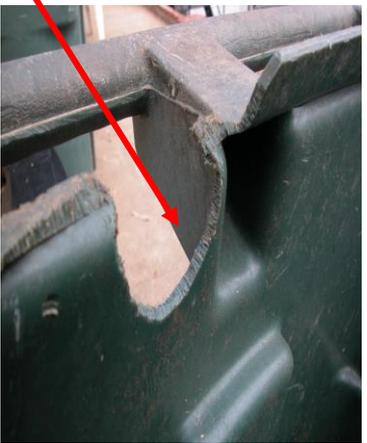
Cockroach dropping ("frass") under cabinets

Evidence of Mice/Rats

Mouse/Rat droppings



Chewed through household items



Urine stains





Post-Certification Document: AF6 – Mice, Rats and Roaches in MDs

Even if a Landlord has already submitted a valid Certificate of Correction, once the certification deadline has passed they must fill out this **new** Affidavit before HPD can clear the violations.

Pests

AFFIDAVIT OF COMPLIANCE (AF-6)
MICE, COCKROACHES, AND RATS INFESTATION VIOLATIONS
WORK COMPLETED AFTER JANUARY 19TH, 2019

Violation Number(s): _____
Apt # _____

State of New York } ss:
County of _____

I, _____, swear or affirm under penalty of perjury as follows:
(type or print name)

- That I am over twenty-one years of age and am the registered owner and/or managing agent of the subject premises,

(type or print entire building address, including borough)
- Property Registration number _____;
- That I have read HPD's "Guide to Local Law 55 of 2018 Integrated Pest Management Practices" and am aware of the work practices required to eliminate mice, cockroaches, and rat infestation safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required integrated management practices;
- That I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected in accordance with the integrated pest management practices in §27-2017.8 of Local Law 55;
- That if pesticides were used to abate the presence of mice, cockroaches, and rat infestations, a certified commercial pesticide applicator was used in accordance with New York State Environmental Conservation Law (ECL Article 33 §33-0905);

Sworn to me this:
_____ day of _____

Notary Public

Signature

Print Name

Phone Number

Same language as Certificate of Correction

Clearing Pest Violations

Overdue Violations: Defect Letter



DCE/ BRONX BORO OFFICE
1932 ARTHUR AVENUE
BRONX, NY 10457

Mice, Cockroaches, and Rats
DEFECT LETTER
(Rev 2/19)
DOC ID # [REDACTED]

[REDACTED]
STREET
New York, NY 10012

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT

MICE, COCKROACHES, AND RATS DEFECT LETTER
VIOLATIONS ISSUED AFTER JANUARY 19TH, 2019

RE: [REDACTED] AVENUE, BX

Dear Property Owner:

An HPD inspection has confirmed that the open pests violation(s) listed in the back of this document have been corrected for [REDACTED] AVENUE, BX

For the violations to be dismissed, you must submit the following:

- Affidavit of Compliance (No fee is required);

For more information on the paperwork to be submitted, see www.nyc.gov/hpd, search Indoor Allergen Hazards.

You may submit one affidavit for all violations corrected at the same time for each apartment. The violation(s) will be dismissed if the paperwork provided is sufficient.

Submit documents to HPD as follows: DCE/ BRONX BORO OFFICE
1932 ARTHUR AVENUE
BRONX, NY 10457

Need assistance? Contact your local Borough Code Enforcement Office at 212-863-7050

Thank you.
Division of Code Enforcement

HPD sends this ‘Mice, Cockroaches and Rats Defect Letter’ to an Owner when:

- An HPD Inspector has reinspected the condition and found that it has been corrected AND...
- HPD has still not received the **AF6** Affidavit.

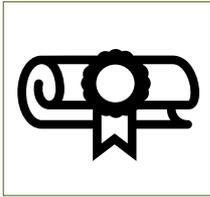
The AF6 Affidavit is required before an overdue violation can be closed. If you have already submitted a properly-completed AF6, then the violation will be closed as soon as HPD processes your submission.

KEY TAKEAWAYS

1. Ask tenants about presence of Mice/Rats/Roaches on a regular basis.
2. Submit report on bedbug infestation history to City of New York annually.
3. Use Integrated Pests Management if there are any infestations of Mice/Rats/Roaches.
4. Only licensed professionals can apply pesticides.
5. Mice/Rat/Roach violations are always Class C and require both prompt attention and affirmation that safe work practices were used to fix problem.

Questions on Pests?





Part 4: Mold



Mold

Examples of Mold





Identify the Problem

What is Mold?

- A type of microorganism in the fungi kingdom
- Natural part of the environment and always in the air and on surfaces
- Cannot make its own food, so absorbs food from surroundings
- Reproduces and creates spores
 - Spores release toxins which are allergenic to humans.
- Needs the following to grow and reproduce:
 - Organic material (Food Source)
 - Temperature
 - **Water/Moisture**



What can be considered an organic material in apartments?

- Paper facing of gypsum board
- Lumber products
- Textiles of Natural fibers
- Latex backing/adhesive in carpets
- Binder in fiberglass insulation
- Moist, dirty surfaces on concrete/ceramic tiles

The type of nutrients available will influence the type of microbial growth



Have you considered these moisture sources?

- Poor bathroom/kitchen ventilation
- Uninsulated components of building which can support condensation
- Wet clothes drying inside home
- HVAC system issues
- High humidity months
- Roof leak

Water leaks travel path of least resistance



A roof leak will not necessarily travel down an apartment line. It will move downwards through different rooms and different apartments!



How long will it take for mold to grow on a wet surface?

*24 - 48
hours!*

If you can dry the surface within this time frame or replace gypsum board, you may be able to prevent mold growth.



Owner Inspection and Notification: Local Law 55 requires owners of MDs to proactively address Mold issues

- Similar to the requirements for pests, Building Owners must inspect each occupied apartment and all common areas for Indoor Allergen Hazards *at least* once a year.
 - There is no specific training required in order to conduct this inspection.
- In addition, inspect whenever you receive indications that an Indoor Allergen Hazard may exist, such as:
 - Occupant request for maintenance.
 - Occupant complaint to a City agency.
 - Receiving an HPD violation for a condition, such as a leak, that is likely to cause an Indoor Allergen Hazard.



Owner Inspection and Notification (Continued)

- Use approved work methods to remediate Indoor Allergen Hazards:
 - (1) Upon apartment turnover.
 - (2) Anytime your inspection identifies an Indoor Allergen Hazard.
- Provide two notices to tenants with every lease-signing: **DOHMH Pamphlet** and **Indoor Allergens Notice** (see Slide 18 for example).



Owner Inspection and Notification: Local Law 55 requires owners of MDs to *proactively* address Pest issues

- Inspect each occupied apartment and all common areas for Indoor Allergen Hazards *at least* once a year.
 - There is no specific training required in order to conduct this inspection.

- In addition, inspect whenever you receive indications that an Indoor Allergen Hazard may exist, such as:
 - Occupant request for maintenance.
 - Occupant complaint to a City agency.
 - Receiving an HPD violation for a condition, such as a leak, that is likely to cause an Indoor Allergen Hazard.



Mold

Required Work Methods



Work Practices Required by Local Law 55

- **Investigate and correct any underlying defect**, including moisture or leak conditions, that are causing or may cause mold violations.
- **Remove or securely cover with plastic sheeting** any furniture or other items in the work area that cannot be removed.
- **Minimize** the dispersion of **dust and debris** from the work area to other parts of the dwelling unit **through methods such as**:
 - Sealing ventilation ducts/grills and other openings in the work area with plastic sheeting;
 - Isolating the work area with plastic sheeting and covering egress pathways;
 - Cleaning or gently misting surfaces with a dilute soap or detergent solution prior to removal;
 - The use of approved HEPA vacuum-shrouded tools at the point of dust generation.



Plastic Sheeting



Source: <http://www.valormold.com/eight-steps-to-proper-mold-removal/>



Misting Surfaces



Source: <https://www.servicemasterdallas.com/how-to-remove-mold-bleach-vs-vinegar/>



Mold

HEPA Vacuum

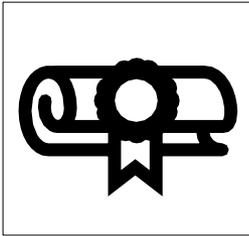


Source: <https://manualzz.com/doc/11862859/v8000wd-wet-dry-hepa-vacuum>



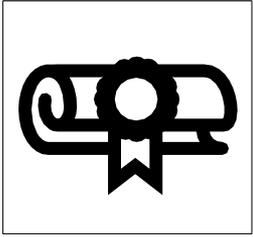
Work Practices Required by Local Law 55 (Continued)

- Clean mold with soap or detergent and water.
- Remove and discard materials that cannot be cleaned properly.
- Properly remove and discard plastic sheeting, cleaning implements, and contaminated materials in sealed, heavy-weight plastic bags.
- **Clean any remaining visible dust** from the work area using wet cleaning methods or HEPA vacuuming.
- **Leave the work area dry and visibly free from mold, dust, and debris.**



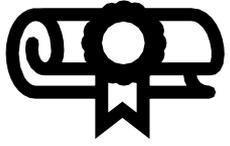
Mold

Contractor Controls



Who is a Mold Assessor?

- Contractor who identifies mold
- According to law: “Mold Assessment’ means an inspection or assessment of real property that is designed to **discover mold, conditions that facilitate mold, indicia of conditions that are likely to facilitate mold** or any combination thereof.”
- Key Terms:
 - Visual Inspection
 - Mold Remediation Plan
 - Post-Remediation Assessment

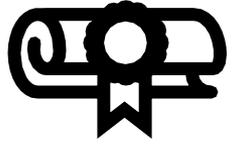


Assessor Equipment

Moisture Meters

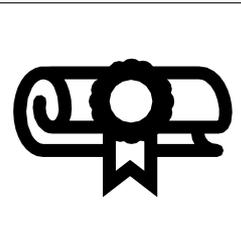
Infrared Camera





Who is a Mold Remediator?

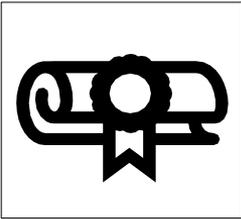
- Contractor who removes mold
- According to law: “Mold Remediation’ means conducting the business of **removal, cleaning, sanitizing, or surface disinfection of mold, mold containment, and waste handling of mold** and materials used to remove mold from surfaces...”
- Key terms
 - Team of Mold Abatement workers
 - Personal Protective Equipment (PPE)
 - Mold Remediation Workplan



Contractor Control: Assessment and Remediation

Article 32 requires Mold Contractors to follow a set of procedures when remediating a Mold condition.

- (1) **MOLD ASSESSOR**: A Mold Assessment Contractor must observe the Mold Condition, and create a [Mold Remediation Plan](#), which specifies the scope of work and work methods that are necessary to remediate the Mold Condition. At the completion of the work, a Mold Assessment Contractor must then review the work that was done and complete a [Mold Post-Remediation Assessment](#), confirming that the Mold Remediation Plan was followed.
- (2) **MOLD REMEDIATOR**: A Mold Remediation Contractor (who must be independent from the Mold Assessment Contractor) must create and carry out a [Mold Remediation Workplan](#). In this Workplan, the Remediation contractors specifies *how* they will follow the instructions of the Mold Remediation Plan.



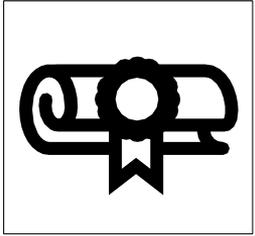
Remediator Worker Protections PPE (Personal Protective Equipment)



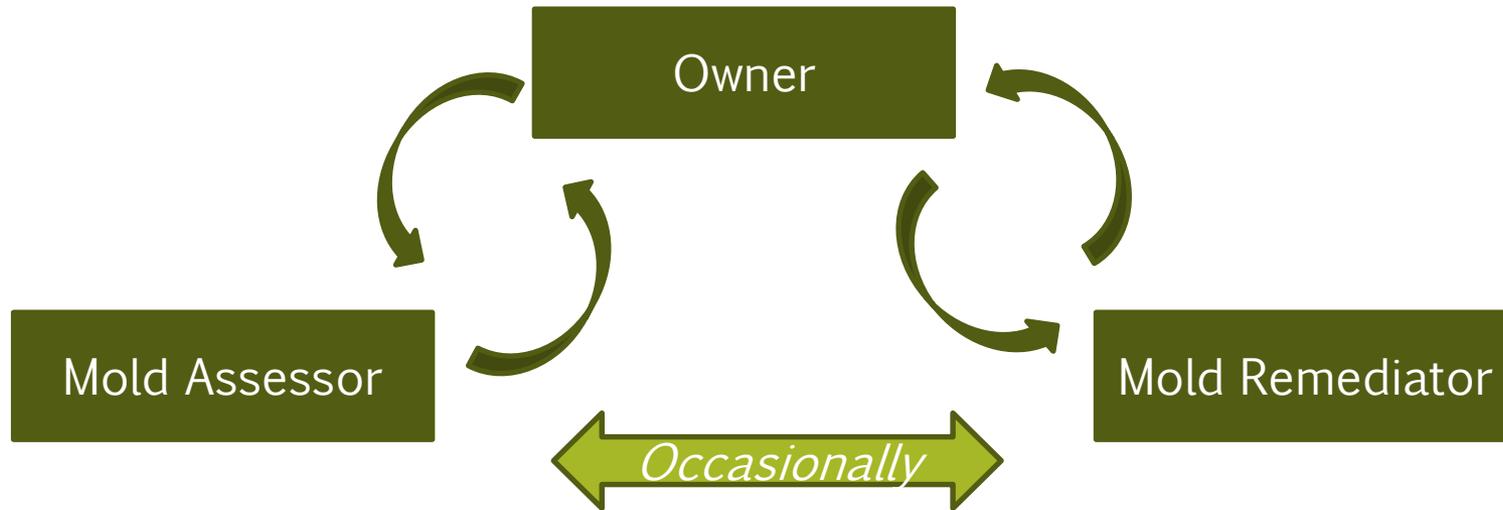
PPE recommendations per job will vary depending on extent of mold growth

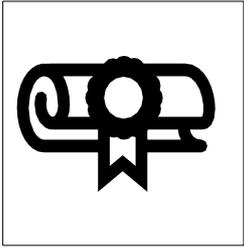


Owner can wear PPE if completing work themselves



Your Role as Owners

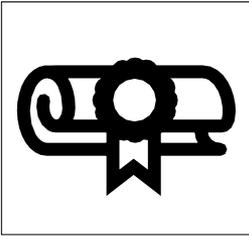




Contractor Control: Licensing

NY State Labor Law Article 32 requires Mold Contractors and Firms to be licensed with the New York State Department of Labor. License-seekers must:

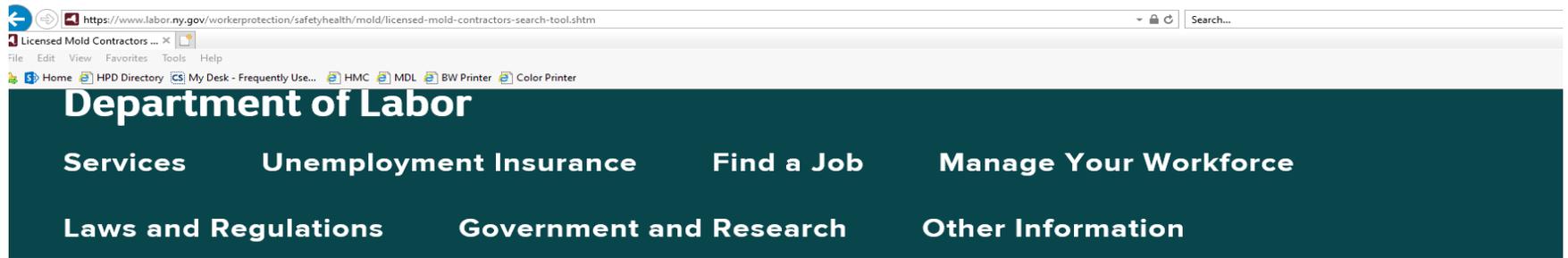
- Complete NYS Dept. of Labor-approved Training
- Firm must have Insurance: Liability and Workers' Compensation
- Workers and firm owner must be 18 years old
- Display their license at work site



Finding a licensed Mold Contractor

New York State Department of Labor website:

<https://www.labor.ny.gov/workerprotection/safetyhealth/mold/licensed-mold-contractors-search-tool.shtm>



[Home](#) » [Safety and Health](#) » [Licensed Mold Contractors Search Tool](#)

Licensed Mold Contractors Search Tool

Sort Report by Name or Zip Code (Required)

Sort Report By:

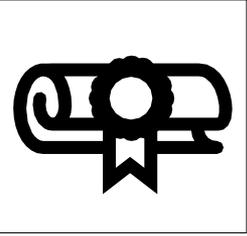
Type of Work (optional)

Assessor:

Yes
 No

Remediator:

Yes
 No



Contractor Control: DEP Filing

Local Law 61 of 2018 requires Mold contractors to **file documents** with the NYC Department of Environmental Protection (DEP) when doing work on buildings with 10 or more units.

- This ensures transparency and accountability. DEP is required to make each filing available to the public on its website.
- The **Mold Remediator** must file the [Mold Remediation Workplan](#) with DEP at least two days before the start of work.*Exceptions include: Certain court-ordered work and certain emergency repairs.
- The **Mold Assessor** must file the [Mold Post-Remediation Assessment](#) with DEP no later than seven days after the Post-Remediation Assessment is completed.



Contractor Filing Process

DEP's website contains a portal for Mold contractors to file plans as required.
<https://www1.nyc.gov/site/dep/environment/mold-abatement.page>

Mold Abatement

Local Law 61 of 2018 established minimum standards for carrying out mold assessment, mold abatement and mold remediation for buildings that contain 10 or more dwelling units or are located on a zoning lot that contains 25,000 or more square feet of non-residential floor area. The law also requires the person holding a mold remediation license to file a Mold Remediation Work Plan Notification Form and the Mold Remediation Work Plan. The person holding a mold assessment license is required to file a Post-Remediation Assessment Form and Mold Post-Remediation Certification. **These forms are available below and you must be file them online.** If you have any problems submitting these forms, please contact moldhelp@dep.nyc.gov.

- File a [Mold Remediation Work Plan and Notification Form](#)
- File a [Mold Post Remediation Assessment Form and Certification](#)



DEP Forms for Contractor Filing

DO NOT PROVIDE TO HPD

Mold

The contractor receives these hard copies after filing these forms online. These copies with a DEP logo should be provided by the contractor to DEP.

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM
55-17 Junction Boulevard, 9th Floor, Flushing NY 11375

MOLD POST-REMEDIATION ASSESSMENT PROJECT INFORMATION

THIS FORM MUST BE SUBMITTED TO DEP WITHIN SEVEN DAYS AFTER COMPLETION OF ABATEMENT ACTIVITIES

I. MOLD ASSESSMENT CONTRACTOR

Name: _____ Mold Assessment License Number: _____ Expiration Date: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____

II. FACILITY / PROPERTY

Person Number: _____ Street Name: _____ Apt # _____ Borough: _____ Zip: _____
Type of Facility (Select one): _____
Ald: _____ Type of Facility (Select one): _____
Name of Individual on Whose Behalf Assessment was performed (Property Owner / Managing Agent): _____

III. PROJECT INFORMATION

DATES THAT POST-REMEDIATION ASSESSMENT WAS PERFORMED: START DATE: _____ END DATE: _____
THIS FORM IS FOR: ENTIRE PROJECT ONLY THE PART OF THE PROJECT INDICATED BELOW
TOTAL SQUARE FOOTAGE ABATED: 0.00

Floor	Entire Floor (Y/N)	Section of Floor	Square Footage
	Select one		

CERTIFICATION STATEMENT

I, _____ hereby affirm under penalty of perjury that the information provided herein and in any and all accompanying attachments is true and complete to the best of my knowledge and that I have read and comply with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law. I further affirm that the information I have submitted in the Mold Post-Remediation Assessment - Background Information (Web-based) and the Mold Post-Remediation Certification is accurate to the best of my knowledge.

By checking this box I acknowledge the above Certification Statement

Date: _____
Title: _____ Phone: _____ Email: _____

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM
55-17 Junction Boulevard, 9th Floor, Flushing NY 11375

MOLD REMEDIATION WORK PLAN NOTIFICATION FORM

THIS FORM MUST BE SUBMITTED TO THE DEP TWO DAY IN ADVANCE OF THE START OF ABATEMENT ACTIVITIES

I. PROPERTY

Project Number: _____ Street Name: _____ Apt # _____ Borough: _____ Zip: _____
Ald: _____ Type of Facility (Select one): _____
Is the activity conducted in a Government owned building? NO YES. If YES, please select one: _____
 NO YES

II. APPLICANT (MOLD REMEDIATION CONTRACTOR)

Name: _____ DOL License Number: _____ Contact Person: _____
Address: _____ Email: _____
City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____

III. PROJECT INFORMATION

START DATE: _____ PROJECTED COMPLETION DATE: _____

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 8:00AM to 4:00PM	<input type="checkbox"/> 8:00AM to 4:00PM				

WORK SCHEDULE OTHER HOURS

Floor	Entire Floor (Y/N)	Section of Floor	Square Footage
	Select one		

CERTIFICATION STATEMENT

I, _____ hereby affirm under penalty of perjury that the information provided herein and in any and all accompanying attachments is true and complete to the best of my knowledge and that I have read and comply with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law. I further affirm that the information I have submitted in the Mold Remediation Work Plan - Background Information (Web-based) and my own mold remediation work plan specific to this project is accurate to the best of my knowledge.

By checking this box I acknowledge the above Certification Statement

Date: _____
Title: _____ Phone: _____ Email: _____

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM
55-17 Junction Boulevard and 9th Floor, Flushing NY 11375

MOLD POST-REMEDIATION ASSESSMENT CERTIFICATION

NAME OF MOLD ASSESSMENT CONTRACTOR _____ LICENSE NUMBER OF MOLD ASSESSMENT CONTRACTOR _____ hereby certifies that on _____ on behalf of _____ of _____ of _____ at the property located at _____ SELECT ONE _____ mold remediation was completed in accordance with the mold remediation plan provided by _____ NAME OF MOLD REMEDIATOR _____

I, _____ hereby affirm under penalty of perjury that the information provided herein and any and all accompanying attachments are true and complete to the best of my knowledge and that I have read and complied with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law related to this project. I further affirm that I have submitted attached a copy of the Mold Post-Remediation Assessment.

SIGNATURE _____ DATE _____

KEY TAKEAWAYS

1. Ask tenants about presence of Mold on a regular basis.
2. Look for water source (underlying condition) and fix this as mold needs water to grow.
3. For certain buildings where Owners can do work themselves, use plastic sheeting minimize spread of dust, discard all materials affected by mold and thoroughly clean with a HEPA filtered vacuum.
4. For certain buildings where Owners need contractors, use NYS licensed companies to find Mold Assessors and Mold Remediators.
5. The Mold Assessor will come before work begins to identify mold and after work ends to confirm the job was done correctly. The Mold Remediator will actually perform Mold Removal.



Mold

Clearing Mold Violations



HPD Mold Violation Criteria

Dwelling Unit:

- **A class:**
 - Less than 10 square feet in a room
- **B class:**
 - Between 10 square feet and 29 square feet in a room
- **C class:**
 - 30 square feet or more in a room

Public Areas:

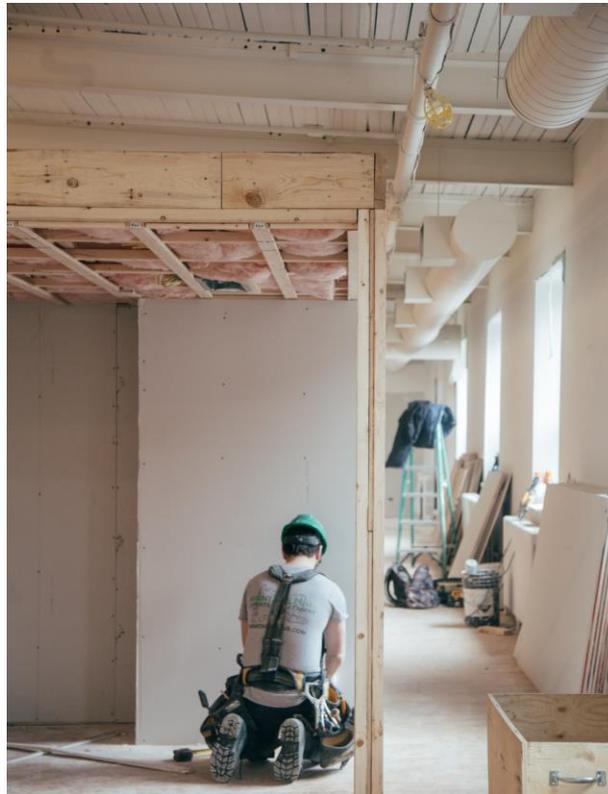
- **A class:**
 - Less than 30 square feet in a room or hallway level *OR*
 - Less than 50 square feet in the aggregate
- **B class:**
 - 30 square feet or more in a room or hallway level *OR*
 - 50 square feet or more in the aggregate

Summary of Documents Required by HPD to Clear Mold Violations



		Contractor Documents		Owner's Sworn Statement	
		<i>During Certification Period</i>	<i>Post-Certification Period</i>		
Buildings under 10 Units - Class A, B, C violations and Buildings 10 or more Units - Class A violations	If owner or agents choose to do work themselves:	None		Complete the customized paperwork you receive with your Notice of Violation package	AF7 affidavit
	If owner chooses to hire outside contractors:	2 licenses			
Buildings 10 or more Units - Class B and C violations	(No choice: owner MUST hire outside contractors)	2 licenses 2 affidavits 2 DEP filing receipts		Complete the customized paperwork you receive with your Notice of Violation package	AF8 affidavit

Contractor Documents





Mold NOV

*Buildings under 10 Units (Class A, B, C violations)
or
10 or More Units (Class A violations)*





Mold NOV for *Buildings under 10 Units (Class A, B, C violations) or 10 or More Units (Class A violations)*

CIV 194 MOLD (REV. 1/2019) Under 10 Units (Class A, B, and C Violation) or 10 or More Units (Class A Violation)

AGENCY COPY

CERTIFICATION OF CORRECTION OF VIOLATION(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 the building is a multiple dwelling, or is a one- or two-family house and neither I nor any family member occupies it, and, I am currently registered with the Division of Code Enforcement for the subject property in

2. That I have examined the area(s) identified on the Notice of Violation # _____ by violation(s) number(s) _____, to my knowledge such violation(s) whose number(s) I have listed was (were) corrected, including the source of the mold condition, in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04 on _____ (dates) by (check ONE):

_____ Myself, an employee, or managing agent

_____ (name)

OR

_____ That if a firm was used to perform mold assessment and mold remediation or abatement all work was performed in accordance with Article 32 of New York State Labor Law using safe work practices as outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04. And I have attached the following:

- the mold assessment contractor license _____ (firm name)
- the mold remediation license _____ (firm name) **or** the mold remediation worker supervisor license _____ (firm name)

Mold NOV

*Buildings under 10 Units (Class A, B, C violations)
or 10 or More Units (Class A violations)*

- IF this item from Section 2 of CIV is checked:

OR

_____ That if a firm was used to perform mold assessment and mold remediation or abatement all work was performed in accordance with Article 32 of New York State Labor Law using safe work practices as outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04. And I have attached the following:

- the mold assessment contractor license _____ (firm name)
- the mold remediation license _____ (firm name) **or** the mold remediation worker supervisor license _____ (firm name)

THEN required documents must be submitted:

- Is the firm's mold assessment contractor license provided?
- Is the firm's mold remediation license **or** the supervisor's mold abatement worker license provided?

Mold NOV

*Buildings with 10 or More Units
(Class B and C violations)*





Mold NOV

Buildings with 10 or More Units (Class B and C violations)

CIV 194 MOLD (REV. 1/2019) 10 or More Units (Class B and C)

AGENCY COPY

CERTIFICATION OF CORRECTION OF VIOLATION(S)
Complete entire form and sign below.

State of New York

Violations covered under this NOV **MUST** be accompanied by:

6 Listed Documents

listed was (were) corrected, including the source of the mold condition, in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04 on _____ (dates) by firms licensed to perform mold assessment and mold remediation or abatement in accordance with New York State Labor Law Article 32. Accordingly, I have attached:

- the mold assessment contractor license _____ (firm name); and
- the mold remediation license _____ (firm name) **or** the mold remediation worker supervisor license _____ (firm name);
- Affidavit of Mold Assessment;
- Affidavit of Mold Remediation;
- Department of Environmental Protection's (DEP) mold remediator's filing receipt;
- DEP's mold assessor's filing receipt.

Mold NOV

*Buildings with 10 or More Units
(Class B and C violations)*

All six documents listed on the CIV must be provided!

Article 32. Accordingly, I have attached:

- the mold assessment contractor license _____ (firm name); and
- the mold remediation license _____ (firm name) **or** the mold remediation worker supervisor license _____ (firm name);
- Affidavit of Mold Assessment;
- Affidavit of Mold Remediation;
- Department of Environmental Protection's (DEP) mold remediator's filing receipt;
- DEP's mold assessor's filing receipt.

- For buildings with 10 or more units, the Owner **MUST ALWAYS** use licensed contractors, and all listed documents are *always* required.

3
documents
from Mold
Assessor

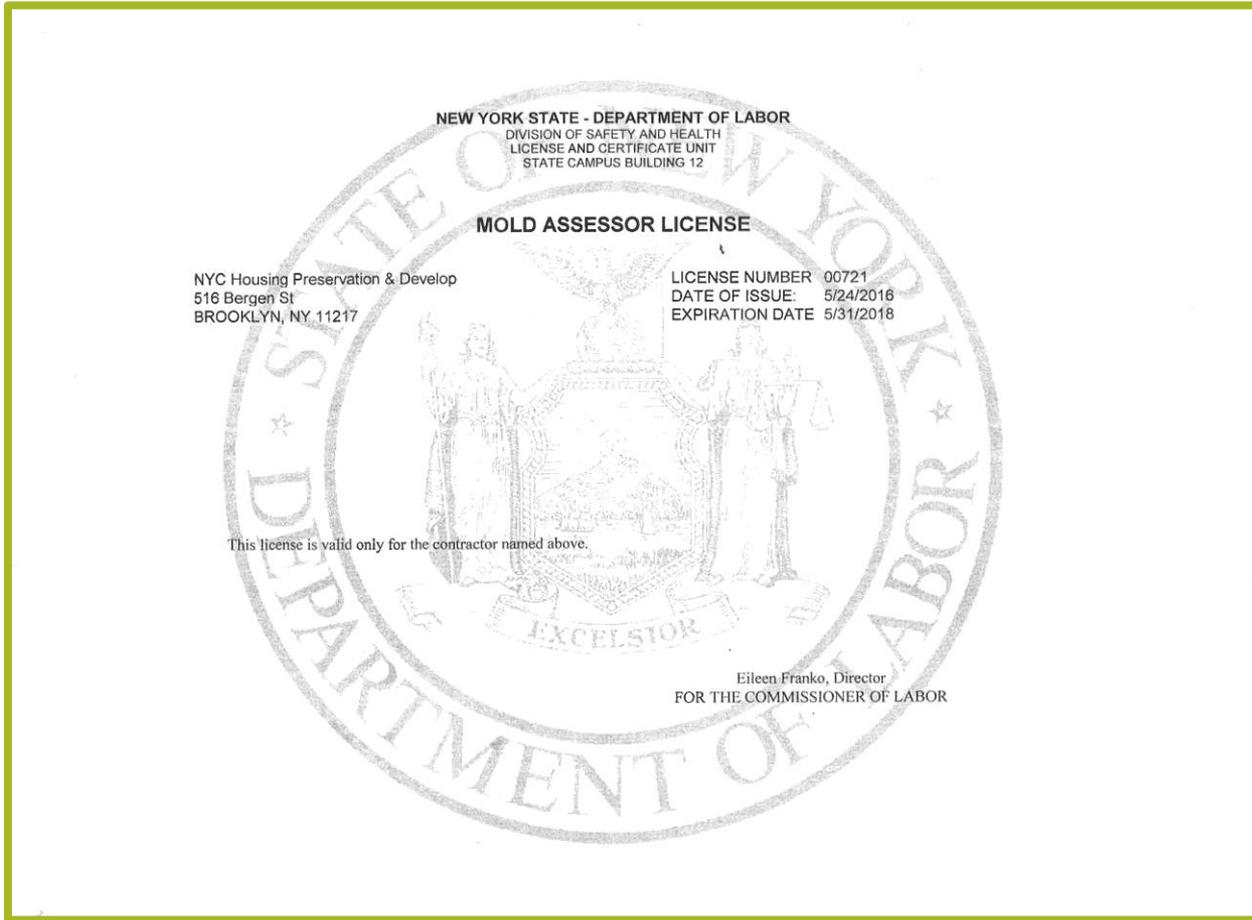
3
documents
from Mold
Remediator



Contractor Documents

FIRST Required Document

PROVIDE: *Assessment Firm's Mold Assessor License*





Contractor Documents

Mold

SECOND Required Document Detail:

Remediation Firm's Mold Remediation License **OR** Remediation Firm's Mold Abatement Worker Supervisor's License

Remediation Firm's Mold Remediation License

Remediation Firm's Mold Abatement Worker – Supervisor License



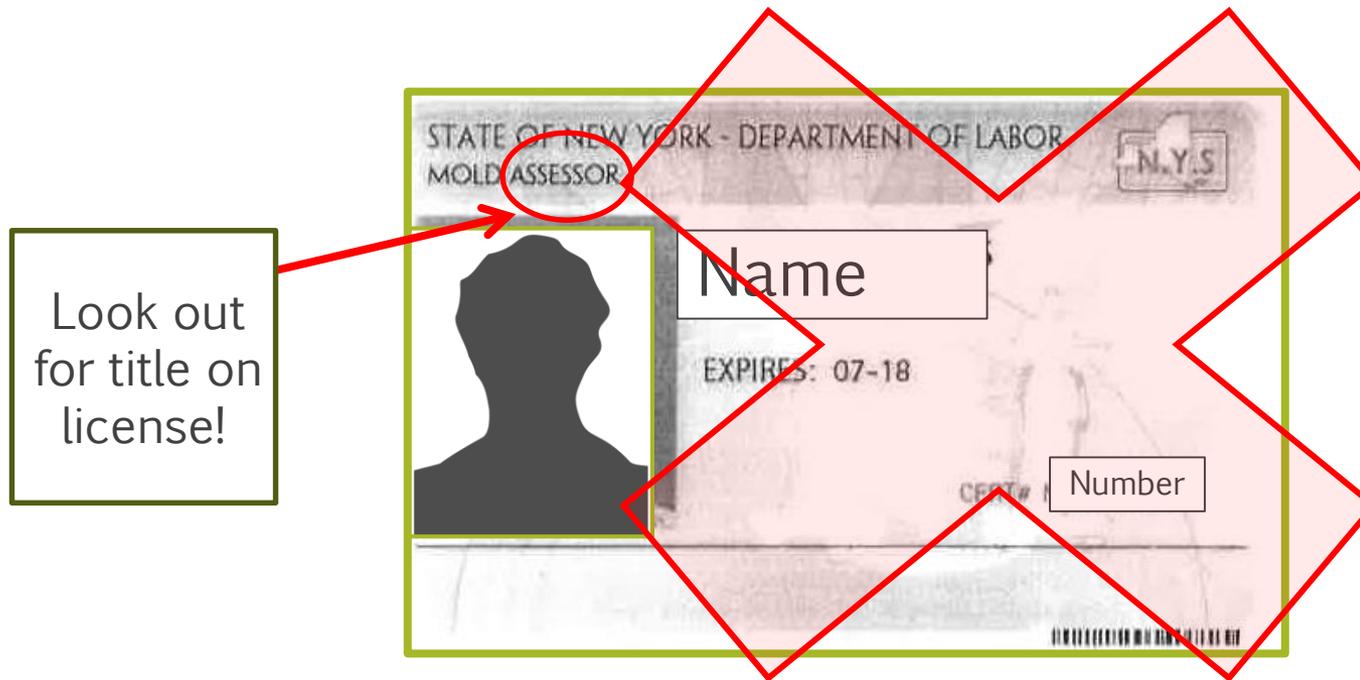
OR



Note: HPD only accepts the 'Mold Abatement Worker **Supervisor** License.' HPD will never require, and will not accept, the 'Mold Abatement Worker License'.

Contractor Documents

Example: DO NOT PROVIDE
Individual Worker's Mold Assessor License



NYS Dept. of Labor also issues Mold Assessor licenses to individual workers, but the only kind of Mold Assessor license HPD accepts is the **firm's** Mold Assessor license shown previously.

Contractor Documents

THIRD Required Document

Affidavit of Mold Assessment

Affidavit of Mold Assessment

Dated: _____

Licensed Mold Assessor's Firm Name: _____

Mold Assessor's Firm License #: _____ Expiration Date: _____

Firm's Address: _____

Tel: _____ Email: _____

Property Address: _____ Apt: _____

Violation Number(s): _____

I, _____, the licensed mold assessor for the abovementioned address, hereby swear that I prepared the mold remediation plan on _____, 20____. I completed the post-remediation assessment on _____, 20____ and determined that the licensed mold remediator corrected the mold hazard violation(s) using methods consistent with the mold remediation plan; the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04; and the minimum work standards pursuant to Title 2 of Article 32 in the New York State Labor Law. I have provided the owner with a copy of the Post-Remediation Assessment Form. A copy of my mold assessment license in effect when the work was completed is attached, along with a filing receipt from the Department of Environmental Protection indicating submission of the Post-Remediation Assessment pursuant to Administrative Code §24-154.1.

Sworn to me this:

_____ day of _____

Notary Public

Signature

Print Name

Phone Number

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

Rev. 1/2019
Sworn Statement from the Mold Assessor

**Buildings with 10 or
More Units
(Class B and C
violations)*

Contractor Documents

FOURTH Required Document

Affidavit of Mold Remediation

Affidavit of Mold Remediation

Dated: _____

Licensed Mold Remediation Firm Name: _____

Mold Remediator's Firm License #: _____ Expiration Date: _____

Mold Remediation Supervisor License #: _____ Expiration Date: _____
(if applicable)

Firm's Address: _____

Tel: _____ Email: _____

Property Address: _____ Apt: _____

Violation Number(s): _____

I, _____, the licensed mold remediator for the abovementioned address, hereby swear that I performed the work to correct the above listed mold hazard violation(s) in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04; and the minimum work standards pursuant to Title 2 of Article 32 in the New York State Labor Law during the period commencing _____, 20__ and completed _____, 20__. I have provided the owner with a copy of the remediation work plan. A copy of my mold remediation license and mold supervisor license (if applicable) in effect when the work was completed is attached, along with a filing receipt from the Department of Environmental Protection indicating submission of the mold remediation work plan pursuant to Administrative Code §24-154.1.

Sworn to me this:

_____ day of _____

Signature

Notary Public

Print Name

Phone Number

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

Rev. 1/2019
Sworn Statement from the Mold Remediator

Information must match whichever document was provided:

Remediation Firm's License

OR

Remediation Firm's Supervisor's License

**Buildings with 10 or More Units (Class B and C violations)*



Contractor Documents

FIFTH Required Document

Mold Assessor's NYC Department of Environmental Protection (DEP) Filing Receipt

From: NYC DEP <no-reply@wufoo.com>
Sent: Monday, January 14, 2019 1:27 PM
To: [REDACTED]
Subject: Mold Post-Remediation Assessment Part 1

POST-REMEDICATION

DEP acknowledges receipt of your Mold Post Remediation Form and Mold Post Certification Form. Receipt of such documents does not indicate that the work was reviewed by the DEP nor complies with all applicable laws and regulations.

Application number: 9
Date: 2019-01-14 13:22:23
Property Address: Gold Street
Property Apt. #:
Property City: BROOKLYN
Property Borough: Manhattan
Property Zip Code: 11221

Mold Post-Remediation Assessment Part 1

Mold Assessment Contractor Name * [REDACTED]
Mold Assessment License Number * [REDACTED]
Expiration Date * Saturday, August 1, 2020
Mold Assessment Contractor Address * [REDACTED]
United States
Mold Assessment Contractor Email * [REDACTED]
Mold Assessor Name * [REDACTED]
Mold Assessor DOL License Number * [REDACTED]
Mold Assessor Contact Person * [REDACTED]

This 'receipt' is in the form of an email: provide a printed copy for HPDs records.

**Buildings with 10 or More Units (Class B and C violations)*



Contractor Documents

SIXTH Required Document

Mold Remediator's NYC Department of Environmental Protection (DEP) Filing Receipt

Date: 2019-02-12 21:23:36

Property Address: [REDACTED]

Property Apt. #: 24f

Property City: bronx

Property Borough: Bronx

Property State: NY

Property Zip Code: 10475

Applicant Name: [REDACTED]

Applicant DOL License Number: [REDACTED]

Mold Remediation Work Plan Background Info

Type of Notification * Original

Emergency Notification* * Yes

Property Street Address * [REDACTED]

Property Apartment Number 24f

Property City * bronx

Property Borough * Bronx

Property State * NY

Property Zip Code * 10475

Type of Facility * Residential

Bin * [REDACTED]

Block * [REDACTED]

Lot * [REDACTED]

Is the Activity Conducted in a Government Owned Building? * No

Building Owner Name * Subash Thomas

Building Owner Contact Person * Subash Thomas

This 'receipt' is in the form of an email: provide printed copy for HPDs records.

**Buildings with 10 or More Units (Class B and C violations)*



Mold Upgrades





New Feature of LL55

Local Law 55 introduced a unique feature for Mold Violations in Multiple Dwellings: violation upgrades for violations that are not corrected.

- Each time a Mold violation is upgraded from **A→B** or **B→C**, the violation number will change. The old violation will be closed and a 'new' violation will be issued.
- **Tip:** Keep careful track of mailings from HPD and/or visit HPDOnline to ensure that any paperwork you submit to HPD references the current violation number for the condition.



Mold upgrades, A→B

Mold

Class A Mold violations will upgrade to Class B Mold violations if:

- Owner fails to correct and certify on time

or

- Owner submits false certification

The Owner will receive a new Notice of Violation for a Class B Mold Violation, with a new correction deadline. The Class A Violation Number will be referenced in the violation description. The Class A violation will be 'closed' and replaced with the Class B violation that will have a new violation number.



VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
[REDACTED]	550	§ 27-2017.3 HMC: TRACE AND REPAIR THE SOURCE AND ABATE THE VISIBLE MOLD CONDITION... APPROXIMATELY 7 SQUARE FEET ON SOUTH WALL IN THE BATHROOM LOCATED AT APT B6, 2nd STORY, 1st APARTMENT FROM EAST AT SOUTH , SECTION AT SOUTH ORIGINAL VIOLATION 12914659 ISSUED 15-FEB-19 HAS BEEN UPGRADED TO CLASS B PER ADMINISTRATIVE CODE §27-2017.3a(3)(a) or (b).

Note For dwellings with 10 units or more, this upgrade to Class B will now *require* the use of licensed contractors, where for Class A violations in dwellings with 10 units or more the Owner would retain the option to have his or her own employees do the work.



Mold upgrades, B→C

Mold

Class B Mold violations will upgrade to Class C Mold violations if:

- HPD **reinspects** after the certification period is over and finds the violation is not complied

or

- Owner submits a false certification

The Owner will receive a new Notice of Violation for a Class C Mold Violation, with a new certification deadline. The Class B Class Violation Number will be referenced in the violation description.

VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
13026956	550	§ 27-2017.3 HMC: TRACE AND REPAIR THE SOURCE AND ABATE THE VISIBLE MOLD CONDITION... APPROXIMATELY 15 SQUARE FEET ON WEST WALL IN THE BATHROOM LOCATED AT APT 3L, 3rd STORY, 1st APARTMENT FROM EAST AT SOUTH ORIGINAL VIOLATION 12892269 ISSUED 04-FEB-19 HAS BEEN UPGRADED TO CLASS C PER ADMINISTRATIVE CODE § 27-2017.3a(5)(a) or (b).

Note The new Class C violation will be referred to Emergency Repair if not certified.



Overdue Mold Violations

Post-certification, HPD requires two additional steps before a Mold violation can be removed.

- (1) As with *all* overdue HPD violations, HPD must reinspect the violation and find the condition corrected (“Complied”) before the violation can be removed.
- (2) The Owner must submit a new affidavit, named the **AF7** or **AF8**, in which the Owner swears that proper work methods were used to correct the condition.



LL 55 Work Methods and Reinspections

For reinspections of mold violations, the Inspector will attempt to verify that proper work practices were used to remediate the condition.

For instance, an Inspector will ‘**Not Comply**’ a violation if:

- Leaks or other sources of moisture have not been fixed.
- Debris, dust and work materials relating to the Mold Remediation work have not been removed.

Post-Certification Document: AF-7 and AF-8

AFFIDAVIT OF COMPLIANCE (AF-7)

MOLD VIOLATIONS ISSUED ON OR AFTER JANUARY 19TH, 2019 – 10 or fewer units or Class A only for 10 or more units

Violation Number(s): _____ Apt # _____

State of New York)
County of _____) ss:

I, _____, swear or affirm under penalty of perjury as follows:
(type or print name)

- That I am over twenty-one years of age and am the registered owner and/or managing agent of the subject premises, _____ (type or print the entire building address, including borough), Property registration number _____;
- That I have read the New York City Department of Housing Preservation and Development's "Guide to Local Law 55 of 2018 Mold Work Practices" and am aware of the safe work practices required to correct mold hazards safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required practices and (check one):

____ That I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected, including the source of the mold condition, in accordance with the applicable safe work practices in Administrative Code §27-2017.9, 28 RCNY §54-04(b) and New York State Labor Law Article 32 by myself, an employee, or managing agent;
OR

____ That if I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected, including the source of the mold condition, in accordance with the applicable safe work practices in Administrative Code §27-2017.9, 28 RCNY §54-04(b) and New York State Labor Law Article 32 by firms licensed to perform mold assessment and mold remediation and I have attached the following:

- A copy of the mold assessor's license, AND
- A copy of the mold remediator's license or mold remediation supervisor's license.

Sworn to me this

_____ day of _____
Signature

Print Name

Notary Public

Phone number _____

June 2019

AFFIDAVIT OF COMPLIANCE (AF-8)

MOLD VIOLATIONS ISSUED ON OR AFTER JANUARY 19TH, 2019 – 10 or more units (class B and C)

Violation Number(s): _____
Apt # _____

State of New York)
County of _____) ss:

I, _____, swear or affirm under penalty of perjury as follows:
(type or print name)

- That I am over twenty-one years of age and am the registered owner and/or managing agent of the subject premises, _____ (type or print entire building address, including borough), Property Registration number _____;
- That I have read the Department of Housing Preservation and Development's "Guide to Local Law 55 of 2018 Mold Work Practices" and am aware of the safe work practices required to correct mold hazards safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required work practices;
- That pursuant to Administrative Code §24-154, Administrative Code §27-2017.9, RCNY §54-04(b), and 28 RCNY §54-05(a)(3) I have attached:
 - An affidavit from the licensed mold remediation contractor who performed the remediation of the mold hazard violation(s) stating that the work was performed pursuant to the applicable safe work practices in Administrative Code §27-2017.9, RCNY §54-04(b) and the work standards in New York State Labor Law Article 32;
 - An affidavit from the licensed mold contractor stating that the mold remediation plan was prepared in accordance with Article 32 of the New York State Labor Law; and an affidavit made by the licensed mold assessor contractor stating that a post-remediation mold assessment report was prepared in accordance with New York State Labor Law Article 32.
 - A copy of the mold assessor's license;
 - A copy of the mold remediator's license or mold remediation supervisor's license;
 - Department of Environmental Protection's (DEP) mold remediator's filing receipt under Administrative Code Section 24-154;
 - DEP's mold assessor's filing receipt under Administrative Code Section 24-154.

Sworn to me this

_____ day of _____
Signature

Print Name

Notary Public

Phone Number

June 2019

Even if a Landlord has already submitted a valid Certificate of Correction, once the certification deadline has passed they must fill out this new Affidavit before HPD can clear the violations.

10 or fewer units/
Class A for 10+
Units

10 + Units for
Class B/ Class C

Clearing Mold Violations Overdue Violations: Defect Letter

Mold



DCE/ BROOKLYN BORO OFFICE
701 EUCLID AVENUE
BROOKLYN, NY 11208

MOLD DEFECT LETTER
(Rev.2/19)
DOC ID [REDACTED]

[REDACTED]
Brooklyn, NY 11211

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
DIVISION OF CODE ENFORCEMENT

MOLD DEFECT LETTER
VIOLATIONS ISSUED AFTER JANUARY 19TH, 2019

RE: [REDACTED] BK

Dear Property Owner:

An HPD inspection has confirmed that the open mold violation(s) listed in the back of this document have been corrected for [REDACTED] BK. If the multiple dwelling is under 10 units, for the violation(s) to be dismissed, you must submit the following:

- Affidavit of Compliance (No fee is required);

If your multiple dwelling has 10 or more units AND a "Class B" or "Class C" violation you must also submit:

- Affidavit of Mold Assessment (to be completed by mold assessor);
- Affidavit of Mold Remediation (to be completed by mold remediator);
- Department of Environmental Protection's (DEP) mold assessor's filing receipt; AND
- DEP's mold remediator's filing receipt.

For more information on the paperwork to be submitted, see www.nyc.gov/hpd, search Indoor Allergen Hazards.

You may submit one affidavit for all violations corrected at the same time for each apartment. The violations will be dismissed if the paperwork provided is sufficient.

Submit documents to HPD as follows: DCE/ BROOKLYN BORO OFFICE
701 EUCLID AVENUE
BROOKLYN, NY 11208

Need assistance? Contact your local Borough Code Enforcement Office at 212-863-6620

Thank you.
Division of Code Enforcement

HPD sends 'Mold Defect Letters' to an Owner when:

- An HPD Inspector has reinspected the condition and found that it has been corrected AND...
- HPD has still not received the required paperwork:
 - AF7 or AF8
 - All of the same Contractor documents required by the NOV
- The proper paperwork is required before an overdue violation can be closed. If you have already submitted proper paperwork, then the violation will be closed as soon as HPD processes your submission.

KEY TAKEAWAYS

1. Certain buildings require the use of contractors to remove the presence of mold.
2. Whenever a Mold Contractor is used, specific documents must be submitted (regardless of whether the use of the contractor was required by law).
3. Use your Notice of Violation (NOV) to determine which paperwork should be submitted when certifying the violation.
4. Reference this presentation for examples of documents.
5. Mold Violations that are not certified on time will be upgraded to the next violation class which will require extra steps for the Owner.

Questions on Mold?





Part 5: Additional Resources



City of New York Agency Resources

- **Housing Preservation and Development (HPD):**
 - Indoor Allergens Page, <https://www1.nyc.gov/site/hpd/owners/indoor-allergen-hazards.page>
 - Bedbugs, <https://www1.nyc.gov/site/hpd/owners/bedbugs.page>

- **Department of Health and Mental Hygiene (DOHMH):**
 - Mold, <https://www1.nyc.gov/site/doh/health/health-topics/mold.page>
 - Pests and Pesticides, <https://www1.nyc.gov/site/doh/health/health-topics/pests-and-pesticides.page>
 - Bedbugs, <https://www1.nyc.gov/site/doh/health/health-topics/bedbugs.page>

For more information, visit
nyc.gov/hpd or call 311

*Thank you for
joining our
Presentation!*



Department of
Housing Preservation
& Development