

HPD's APRIL 2019 NOTICE TO PROPERTY OWNERS

The Department of Housing Preservation and Development (HPD) periodically provides updates on new legislation and information on available materials and resources to residential building owners to support compliance with the New York City Housing Maintenance Code and the New York State Multiple Dwelling Law.

This email provides information on a property owner's obligations on re-inspections and upgrades related to indoor allergens (also referred to as mold and pests; [Local Law 55 of 2018](#)) pertinent information on self-closing doors ([Local Law 111 of 2018](#)); and the amendment to [Local Law 1 of 2004](#) related to lead-contaminated dust.

This notice is intended for informational purposes only and is not intended as legal advice. This notice is not a complete or final statement of all of the duties of owners and tenants with regard to laws and rules relating to housing in New York City.

Indoor Allergens (Mold and Pest)

Pursuant to [Local Law 55 of 2018](#), as of January 19, 2019, property owners of multiple dwellings are required to annually inspect units for visible mold, mice, cockroaches, and rats (indoor allergen hazards) and to correct these conditions using the safe work practices as specified in Local Law 55 (2018) and the minimum work standards outlined in [Article 32 of the New York State Labor Law](#).

Property owners should be aware that failure to correct and certify the correction of a Class A or Class B mold violation may result in HPD issuing an upgraded violation. This means that an uncertified Class A violation will become a Class B violation, increasing the potential civil penalties related to the violation. Similarly, an uncertified Class B violation may result in the issuance of a Class C violation, which may result in emergency repair activity by HPD if you fail to correct timely. It is important to not only correct but to certify properly the correction of these violations to ensure that HPD does not issue these additional violations.

Further, if mold is found on a painted surface in a pre-1960 residential building in a unit with a child under the age of six, and the paint is being disturbed, you are required to have a lead abatement company with a mold remediation license treat the mold condition and any underlying cause unless you have documentation to support that there is no lead-based paint present on that surface.

The best way to prevent mold and pests is to prevent or quickly address leaks and moisture conditions that attracts pests and allows moisture to grow.

To download required notices and pamphlets, and to learn more about an owner's obligations to correct indoor allergen hazard, including pests, please visit: <https://www1.nyc.gov/site/hpd/owners/indoor-allergen-hazards.page>

To learn more about the minimum work standards required for licensed mold contractors, please visit: <https://law.justia.com/codes/new-york/2015/lab/article-32/>

Self-Closing Doors

Under current law, doors that provide access to interior corridors (i.e. hallways) and stairwells in a multiple dwelling are required to be self-closing (this includes apartment doors and doors to the building exterior). Property owners may opt to equip doors with devices such as overhead door closers, heavy duty door closers, or floor-spring door closers. All self-closing doors should be kept in good repair. Self-closing doors helps prevent fire from spreading and further damaging the property including other dwelling units.

Starting June 13th, 2019, per [Local Law 111 of 2018](#) failure to maintain self-closing doors as required will constitute an immediately hazardous violation (Class C) and will result in emergency repairs being conducted by HPD if the property owner fails to comply within 21 days and certifies the correction to HPD timely. The property owner will be billed for the repairs. If the owner fails to pay, the City will file a tax lien against the property. The tax lien will bear interest and may be sold and/or foreclosed to collect the amount owed. In addition, the property owner may also incur civil penalties related to the failure to comply.

Please note that, per [Local Law 115 of 2018](#) , property owners are also required to post notices instructing tenants to close their doors when escaping a fire.

For more information on other fire safety requirements, please visit HPD's webpages on [stove knob covers](#) and [smoke detectors](#). You can also view HPD's [Fire Safety Flyer](#) to learn more about how to prevent fires in your residential building.

Lead-Contaminated Dust

Lead-based paint poisoning can cause developmental dangers for children under the age of six. [Local Law 1 of 2004](#) requires property owners of buildings built pre-1960, or

buildings built between 1960 and 1978, to identify and remediate lead-based paint hazards in apartments where a child under six resides.

After lead-based paint abatement work is completed, a dust wipe clearance must be done as required to ensure that no lead-based paint dust remains. This is a requirement whether in response to an HPD violation, a Department of Health and Mental Hygiene Commissioner's Order to Abate or non-violation repair or renovation work in a building built prior to 1960 where the presumption of lead-based paint applies and a child under six resides.

As of June 11th, 2019, any clearance dust tests taken must meet the new clearance standards listed below to ensure that no lead-based paint dust remains. Lead-related dust threshold levels have been reduced as follows:

Area	Current Standards	New Standards
Floors	40 mcg/ft ²	10 mcg/ft ²
Window Sills	250 mcg/ft ²	50 mcg/ft ²
Window Wells	400 mcg/ft ²	100 mcg/ft ²

Please note that all work to address lead-based paint hazards must be performed by a properly certified EPA contractor and must be followed with a dust wipe test performed by a properly certified independent party. Cleaning and dust wipes must continue to be taken until a dust wipe for each area indicates that no lead dust above the threshold remains after the work is completed. A qualified contractor will know the requirements, but it is important that you are aware of them as well. Submitting dust wipe clearance levels for dust tests taken after on or after June 11th in excess of the new maximum level will result in a rejection of an HPD certification.

To learn more about an owner's responsibilities in addressing lead-based paint hazards including dust clearance, please visit:

<https://www1.nyc.gov/site/hpd/owners/Lead-Based-Paint.page>

To learn more about your responsibilities as a property owner, please visit:

<https://www1.nyc.gov/site/hpd/owners/homeowner.page>

To learn about what registration, signage, and notices are required to be posted, filed, or distributed by property owners, please visit:

<https://www1.nyc.gov/site/hpd/owners/required-signage.page>