



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Help Center

## WHAT IS A DEPARTMENT OF BUILDINGS (“DOB”) STIPULATION?

The DOB might offer a respondent (the person charged with violating a NYC law or rule) a “Stipulation” prior to a hearing.

**What is a “Stipulation”?** A stipulation is an agreement between the respondent and an agency, such as the DOB, in which both sides promise to do certain things instead of having a hearing.

### THE DOB PROMISES TO:

- Fine the respondent only half of the penalty fee that they would have to pay were they found in violation.

### THE RESPONDENT PROMISES TO:

- Admit to the violation and pay the 50% fine.
- **Note:** Although the respondent will only have to pay 50% of the penalty, he will still be considered in violation. This means that if he is found “guilty” of the same violation a second time, he will face a higher penalty fee as a repeat offender.
- “Correct” the violation, meaning, fix the problem.
- File a Certificate of Correction with the DOB. This is a document that shows that the respondent “corrected” the violation and paid the 50% fine.
- The respondent **must** file the certificate within 75 days of the hearing date on the summons.
- In order to be valid, the Certificate of Correction **must be approved by DOB**, and this process can take weeks.
- **Tip:** If you are the named respondent or property owner, the quickest way to get a Certificate of Correction approved (or to find out that it is not approved) is to submit it in person, at the **NYC Department of Buildings – Administrative Enforcement Unit, located at 280 Broadway, 1st Floor, New York, NY 10007, between 8:30 am and 2:30 pm.**

If the respondent agrees to the stipulation, but DOES NOT meet these requirements, they will be found in violation and have to pay the full (100%) penalty.

### HOW DOES A RESPONDENT KNOW IF A STIPULATION IS BEING OFFERED?

- The respondent might get a letter in the mail (from DOB or OATH) informing them that a stipulation is being offered.
- The respondent might be informed that a stipulation is available when the respondent first appears at OATH for the hearing.
- The respondent (or their representative) can ask an OATH Help Center representative if a stipulation is being offered.

### WHEN CAN A RESPONDENT ACCEPT A STIPULATION?

- A stipulation has to be accepted before the date of the first hearing. However, where the respondent appears at OATH on the date of the first hearing, they can accept the stipulation right before the hearing starts.
- A respondent CANNOT accept a stipulation after a hearing has started. **Note:** If you accept a stipulation, the time to comply starts from the hearing date on your summons.

**FOR INSTRUCTIONS ON HOW TO GET A CERTIFICATE OF CORRECTION PACKET, OR HOW TO FILE IT, PLEASE SPEAK WITH AN OATH HELP CENTER REPRESENTATIVE.**