



2019
ELEVATOR
& BOILER
COMPLIANCE



2019 ELEVATOR & BOILER COMPLIANCE

Elevators and boilers are some of the most costly and hard-to-maintain equipment at your properties. It is important to know the specific regulations and compliance you have to follow to prevent paying thousands of dollars in penalties. We've put this quick reference guide together to help you stay in the know.

ELEVATORS



All Elevator & Boiler Inspections must be submitted online via **DOB NOW: Safety**

<https://a810-dobnow.nyc.gov/publish/#/>



KEEP IN MIND

You need an eFiling account to use DOB NOW: Safety.

If you already have an eFiling account, you can use the same log-in email and password to log into DOB NOW.

If you need to register for an account, visit:

<https://www1.nyc.gov/site/buildings/industry/dob-now-registration-tips.page>

WHAT ARE THE DOB INSPECTION REQUIREMENTS FOR ELEVATORS?

The DOB requires all vertical transport devices (including elevators) to have an annual inspection by December 31st of each year.

Owners and managers are responsible for hiring an approved vendor to perform testing, and a separate consultant as a third party witness.

✓ **Category 1 (Cat-1) Inspections**

No load safety test performed between January 1st and December 31st each year

Defects for Category 1 inspections must be corrected and certified via an Affirmation of Correction (ELV29) within 120 days of the original inspection date, and filed within 60 days of the correction date.

✓ **Category 3 (Cat-3) Inspections**

Performed on water hydraulic elevators only every 3 years from installation

✓ **Category 5 (Cat-5) Inspections**

Performed with rated load and speed every 5 years from the date of installation; for example, if a Category 5 report was filed in March 2014, it would be due again at the end of March 2019. Category 5 tests are only required for specific devices - speak with your consultant to confirm what you'll need to file going forward.

💰 **Late Filing Fees (all buildings except those with 1-2 residential units):**

- Category 1 annual inspection: \$150/month/elevator
- Affirmation of Correction: \$150/month/elevator
- Category 3 & 5 inspection: \$250/elevator

If documentation is still not filed within 12 months of the deadline, the full penalty (in the form of an administratively issued violation) will be applied in lieu of the above late fees.

ELEVATORS



WHAT ARE INSPECTION-RELATED VIOLATIONS?

TYPE	DESCRIPTION	PENALTY PER DEVICE
EVCAT1	Issued for failure to file Category 1 annual inspection <i>2010 Cycle and later</i>	\$3000
ACC1	Issued for failure to file Affirmation of Correction <i>Beginning with 2012 Cycle</i>	\$3000
EVCAT5	Issued for failure to file Category 5 (5-year) load-bearing inspection. <i>First issued in 2016</i>	\$5000

- ⚠ The DOB issued thousands of ACC1 violations dated 5/30/14 in error. As a result, the \$3,000 fine was rescinded for all ACC1 violations with this issue date. Buildings must still show proof of an Affirmation of Correction and subsequent satisfactory Category 1 inspection to clear this infraction from their records.
- ⚠ Administrative elevator violations issued before 2014 were issued once per building and may apply to multiple elevator devices. A penalty sheet must be obtained from the DOB to determine the total number of noncompliant devices (and the subsequent fine) for those infractions.

ELEVATORS



ARE THERE ANY OTHER RISKS FOR MISSING OR LATE INSPECTIONS?

Missing elevator inspections will be flagged during the DOB's review for a Final Certificate of Occupancy. Any outstanding inspection-related civil penalties must be paid before a Final CO is issued. Missing inspections may also delay a property transaction or refinance. Most importantly, a property owner may be held liable in the case of emergencies involving a device lacking regular satisfactory inspections.

WHAT IS AN ELEVATOR PVT VIOLATION?

The DOB hires third-party inspectors to perform periodic inspections of elevator devices. A PVT (or E-ELEVATOR violation) may be issued for failure to maintain the device.

If the violation is hazardous or if the violation was issued for "no access to the device or machine room," a certified elevator inspection company must submit a letter, by mail or in-person, to the Elevator Division indicating the corrections were made and requesting a re-inspection of the device.

If the violation is non-hazardous, the certified company may itself perform the reinspection and submit the following documentation to the Elevator Division at 280 Broadway, 4th Floor

- Completed Affirmation of Correction (form ELV-29)
- Copy of the Violation
- Filing fee of \$40 per elevator device

As of 2014, the DOB began removing PVT violations on a regular basis from elevator devices that are in current compliance. If your device has a current status of "Satisfactory" or "Accepted - Correction," the DOB may clear any associated PVTs from that device. Note: this automatic removal process may take time, so submit an Affirmation of Correction if you need a violation to be cleared quickly.

BOILERS



BOILERS:

The DOB requires all boilers to have an annual inspection by December 31st of each year.

High-pressure Boilers have two different inspections (Internal and External).

Low-Pressure Boilers have only one.

WHAT ARE THE DOB INSPECTION REQUIREMENTS FOR BOILERS?

- BO-9 inspection form must be filed within 45 days of performing inspection (one form per each inspection type for High-Pressure Boilers)
- Defects found during an inspection must be corrected and an Affirmation of Correction (BO-13) must be filed within 180 days from the initial calendar inspection date
- Reports submitted more than 180 calendar days from the BO-9 inspection date will incur a late penalty of \$50/boiler/month/inspection
- Reports submitted more than 12 months after the inspection date will be deemed expired and incur the full penalty of \$1,000/boiler/inspection
- Note: Owner/licensee may request an extension for the following inspection filing deadline online for a \$15 filing fee

High-Pressure Boilers:

- Two inspections are required: internal and external.
- These inspections must be conducted within the same cycle (year) but should be performed six months apart.
- Inspections can only be performed by an authorized insurance company.
- Inspectors must notify the DOB at least 10 days before performing the internal inspection via e-mail (hpb boilers@buildings.nyc.gov).

BOILERS



Low-Pressure Boilers:

- Inspections can only be performed by authorized boiler inspectors licensed by the Department of Buildings or an authorized insurance company

REQUIRE ANNUAL INSPECTION	DO NOT REQUIRE AN ANNUAL INSPECTION
Residential buildings with 6+ families	Low-pressure boilers in residential buildings with 5 families or less
Residential buildings classified as Single Room Occupancy (SRO) dwellings	H-stamp domestic hot water heaters in residential buildings with 5 families or less
Mixed-used buildings	Individual boilers heating individual residential units (including residential portions of mixed-used buildings)
Commercial buildings	Boilers with an input of 100,000 BTUs or less
H-stamp domestic hot water heaters with over 350,000 BTUs in residential, mixed-use, and commercial buildings	

FIRST TEST INSPECTION

Newly installed boilers and boilers that have undergone replacement of more than half of their principal components/sections or whose fuel burners have been replaced must undergo a First Test Inspection conducted by the DOB before use.

For more information about boiler inspections, visit:
<https://www1.nyc.gov/site/buildings/safety/boiler.page>

BOILERS



HOW TO CLOSE OUT BOILER VIOLATIONS?

Per the department, “If a boiler inspection was performed and filed, the Department requires a copy of the inspection report and a copy of the cashed check (front and back) issued to the Department for that cycle year.”

HOW DO I REMOVE A BOILER FROM THE DOB RECORDS?

The process requires a visit from an authorized master plumber to inspect and certify that a boiler does not exist at a specific address.

The Self Certification of Removal of Existing Boiler (OP49 form) must be submitted on paper to the:

New York City Department of Buildings
Central Filing and Billing Unit
280 Broadway, 6th Floor
New York, NY 10007

If a boiler is not decommissioned properly, there may be additional administratively issued violations at the property going forward for failure to file annual inspections.

BOILERS



TERMINOLOGY

PAPER FORM NAME	IN DOB NOW, KNOWN AS
BO9 DOB Boiler Inspection Report	Initial Inspection Report
BO13 Boiler Affirmation of Correction Inspection Report	Subsequent Inspection Report
BO13E Extension Request for Boiler Affirmation of Correction	Extension Request

BOILER DEVICE NUMBER FORMAT

Owners and managers need to know the correct format for boiler device number in order to properly file all documents. DOB NOW will create this new Device Number and it will appear in the Boiler Inspection Report.

EXAMPLE: 10000098712Y0001

Borough Code + Device Number + Multiple Dwelling Flag + Serial Number

10000098712Y0001

BOROUGH CODE	DEVICE NUMBER	MULTIPLE DWELLING FLAG	SERIAL NUMBER
1 - Manhattan 2 - Bronx 3 - Brooklyn 4 - Queens 5 - Staten Island	10 - digit number	Y = Yes N = No	E.g., 0001

FORMS NOT AVAILABLE IN DOB NOW (ONLINE):

- OP49 - Self-Certification for Removal of an Existing Boiler
 - Continue to file a paper form
- BBL1 - Batch intake form
- Payment of Violations (e.g., Failing to File)
 - Continue to pay in person



NEED HELP? WE'RE A CLICK AWAY.



support@sitecompli.com



800-564-1152



sitecompli.com/contact-us

Dates and compliance information is reported from NYC agencies and is subject to change. Each building in NYC has specific requirements and deadlines that can differ across borough, building type, etc. SiteCompli's Services are provided for informational purposes only, on an "as is" and "as available" basis. SiteCompli, its licensors and other suppliers disclaim all warranties, whether express or implied, including, but not limited to, any promises of accuracy or correctness of information provided or omitted. The full list of Terms of Use that govern SiteCompli's Services and website can be found at www.sitecompli.com/terms. Copyright ©2019 SiteCompli, LLC.