



The State of NYC Violations 2023

Updates on the most frequently issued violations across NYC neighborhoods, and best practices on staying compliant & avoiding penalties.

Where is compliance-related enforcement in 2023?

Our last data report in October 2022 showed that citywide violation counts were on the rise again after a pandemic-led decrease. So where did the numbers land at the end of the year?

We'll share that update and more in our latest SiteCompli Insights report, which also includes answers to:

- Which agency saw the biggest violation increases in 2022?
- Do violation counts fluctuate throughout the year?
- Do bigger buildings have bigger residential VPUs?

...and much, much more!

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OATH
Overall

OATH VIOLATION COUNT BY YEAR

588,447
2019

293,157
2020

459,028
2021

466,288
2022 Prorated

515,345
2022 Actual

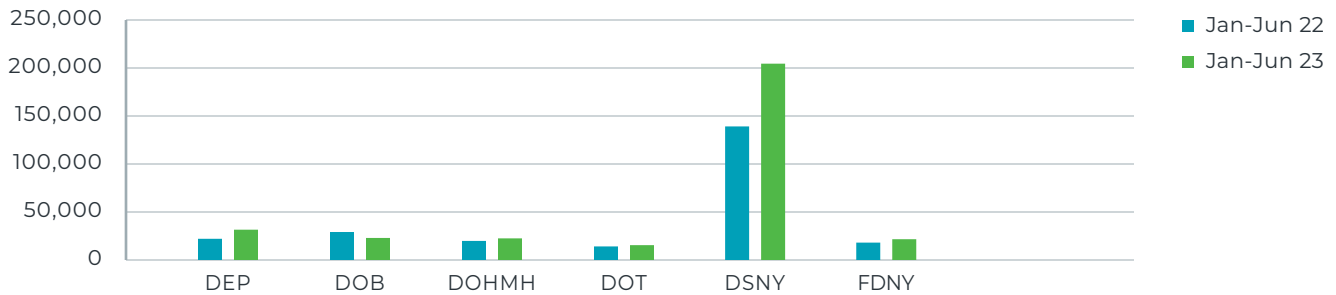
620,177
2023 Prorated

- Actual violation totals for 2022 rose above our prorated amount by nearly 50,000
- That's a 12% increase from violation totals in 2021
- Violation totals for 2023 look to be higher than 2019, with a prorated total of 620,177*

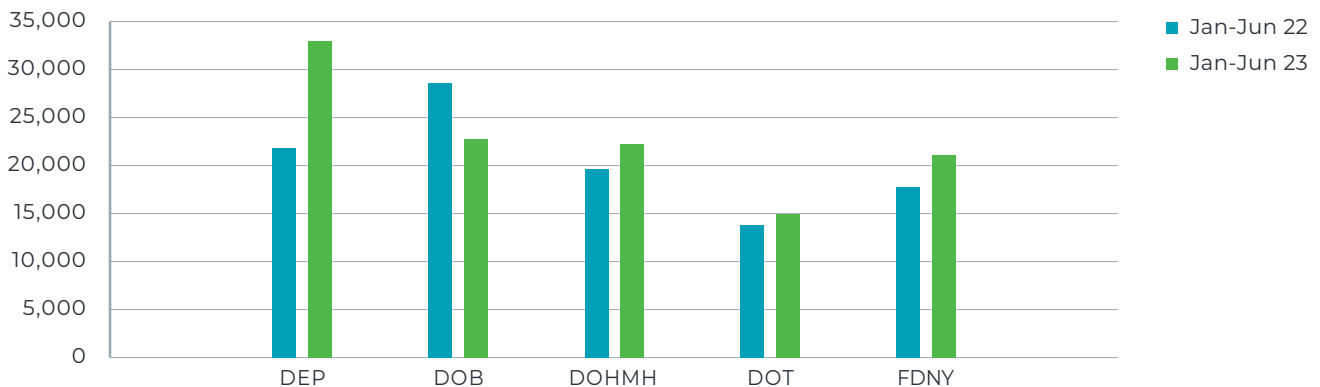
Deep Dive: Year-Over-Year Comparison

Let's take a look at the first half of 2022 (January – June) compared to the first half of 2023, broken down by agency:

H1 COMPARISONS - 2022 VS. 2023 BY AGENCY



H1 COMPARISONS - 2022 VS. 2023 BY AGENCY WITHOUT DSNY

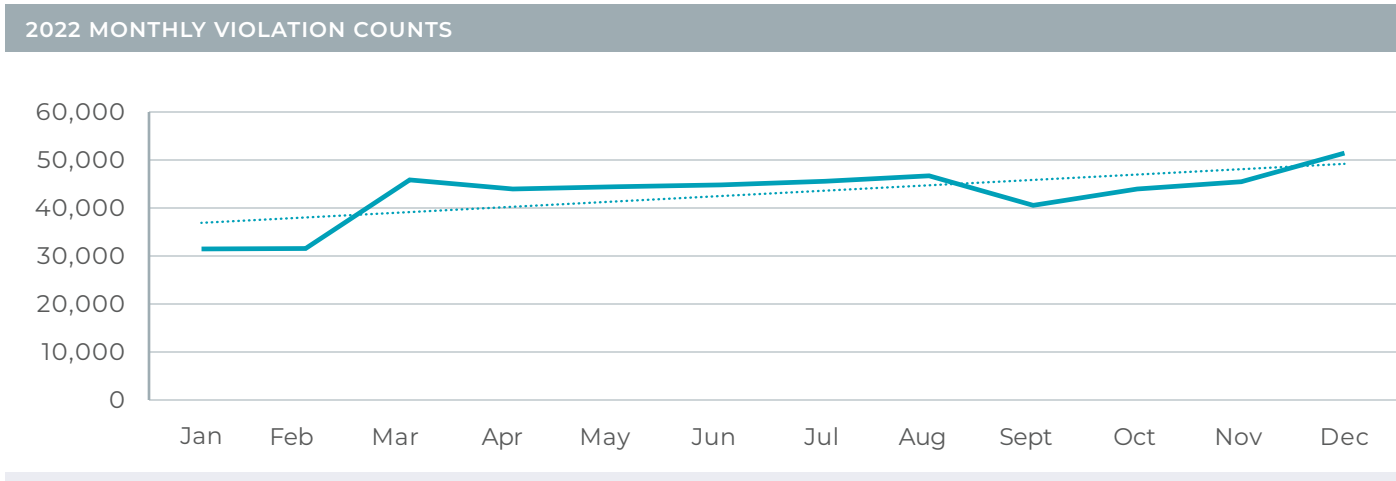


*Prorated total based on average monthly violation counts issued in H1 2023 (January – June).

YEAR OVER YEAR CHANGE FOR H1 BY AGENCY – 2022 VS. 2023						
AGENCY	DEP	DOB	DOHMH	DOT	DSNY	FDNY
Change from 2022 to 2023 in H1	↑ 51.3%	↓ -20.1%	↑ 13.3%	↑ 8.74%	↑ 47.1%	↑ 19.2%

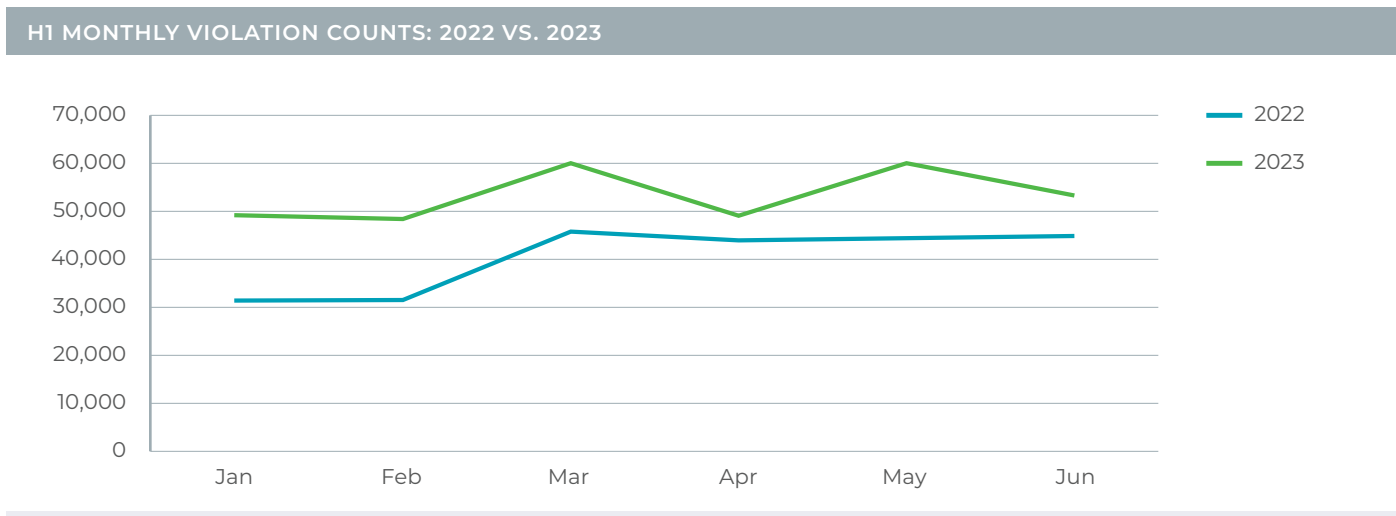
The numbers are clear – with the exception of the DOB, violation counts are on the rise in 2023.

Violation Trends From Month-to-Month



While there's a clear uptick in March, and a general upward trend, violation counts were relatively stable month-to-month in 2022, only rising above 50,000 for one month - December.

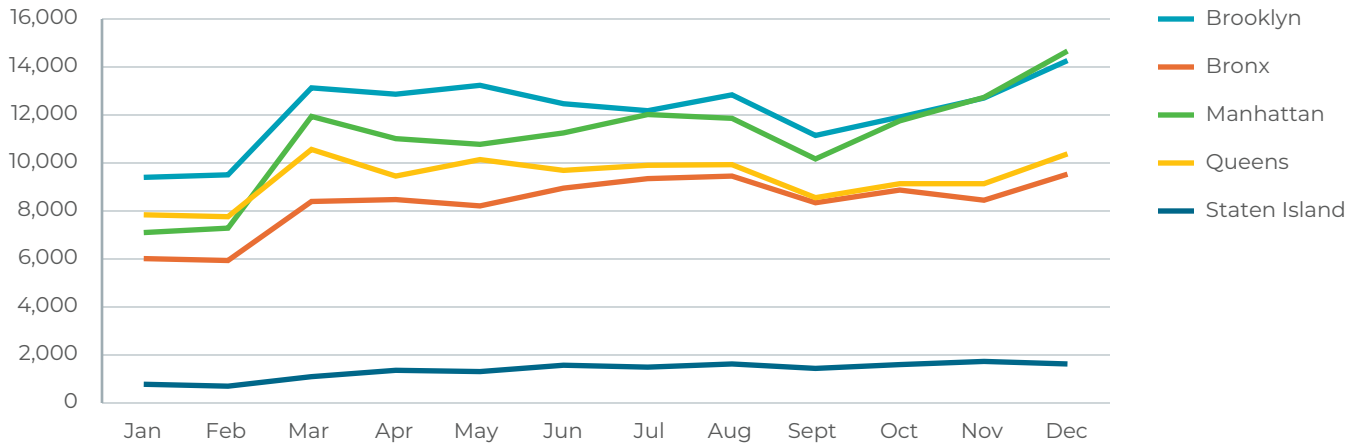
Compare that to the first six months of 2023:



Borough Breakdown

How did individual boroughs fare when it came to overall violation counts?

2022 VIOLATION COUNTS BY MONTH AND BOROUGH



- Brooklyn sees the most violations throughout the year until the very end, where it's overtaken by Manhattan
- Interestingly, some boroughs have similar trendlines for part of the year (Manhattan and the Bronx in H1), and switch patterns later in the year (The Bronx and Queens in H2)
- With the exception of Staten Island, all boroughs saw a dip in violation counts in September, followed by an average increase for the rest of the year

H1 VIOLATION COUNTS BY BOROUGH: 2022 VS. 2023



Some boroughs are seeing a higher increase than others – most notably, Staten Island:

	BROOKLYN	BRONX	MANHATTAN	QUEENS	STATEN ISLAND
Percentage Increase	↑ 20.3%	↑ 40.3%	↑ 40.86%	↑ 27.48%	↑ 73.33%

What does this mean for the rest of 2023?

While nothing's set in stone, let's break down how the numbers could look from July – December of this year:

- Across all agencies, violation counts increased 32% in H1 – 2023 compared to H1 - 2022
- While there are a number of ways to predict or pro-rate violation counts, let's assume every month has that average 32% increase. Here's what the rest of 2023 would look like:

	JUL	AUG	SEPT	OCT	NOV	DEC
2022 Violation Counts	45,563	46,636	40,474	43,958	45,477	51,359
With 32% Increase	60,143	61,560	53,426	58,025	60,030	67,794

While these numbers are estimated, they're likely not far from what the final totals will be. That's especially true given the violation counts we've seen so far this year.

Bottom line – citywide violation counts are increasing, and have the potential to rise beyond the totals from 2019, the highest year from the past several years.

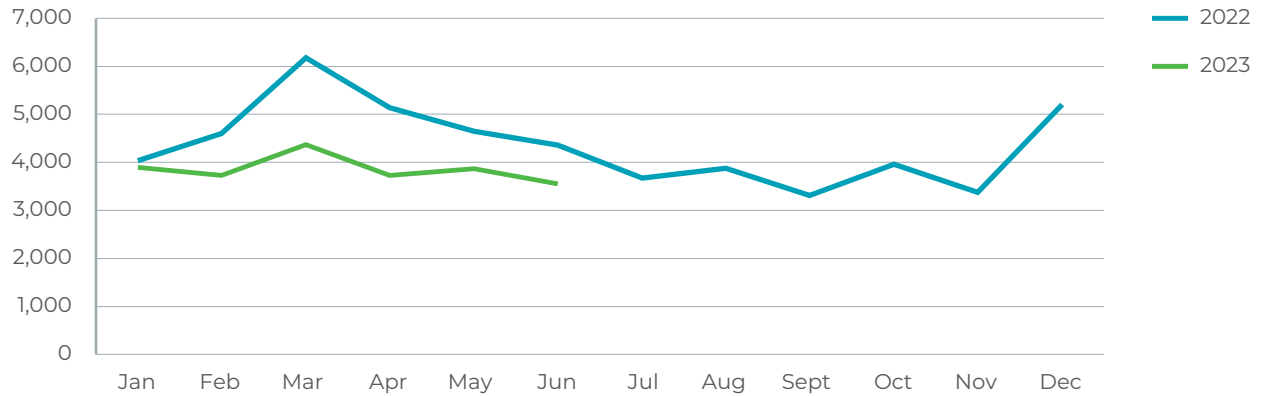


Department of Buildings

As noted previously, the Department of Buildings is the only agency that is seeing a reduced total violation count this year – so far.

Here's a deeper look at month-by-month comparisons, and a breakdown for DOB violations in each borough – plus our take on what could be behind the numbers.

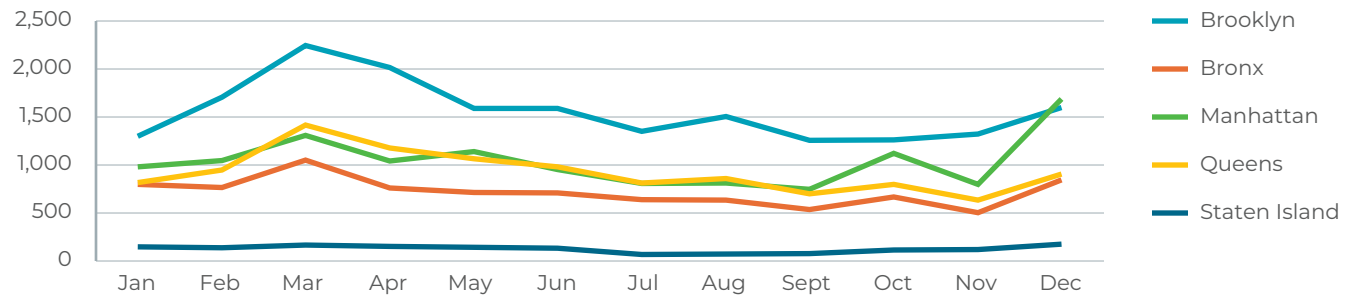
CITYWIDE DOB VIOLATIONS



- Final citywide violation totals for 2022 came to a peak in March, with a steady decline followed by a sharp increase in December
- While 2023 also had a peak violation total in March (so far), the year-over-year comparisons aren't really close – with the slim exception of January

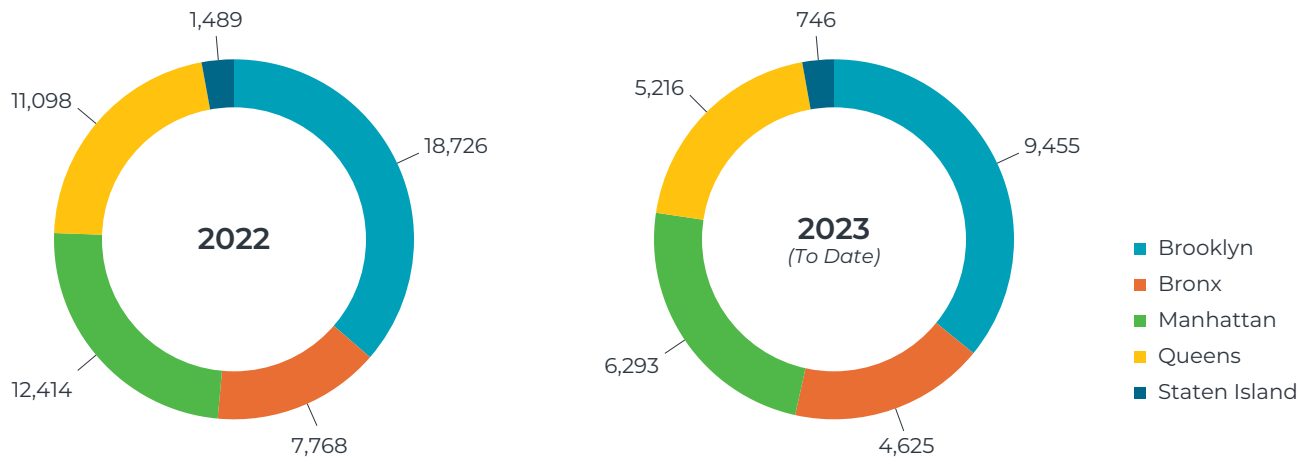
DOB by Borough & Neighborhood

2022 DOB VIOLATIONS - MONTHLY BY BOROUGH



While all boroughs saw the sharp March incline, Manhattan matches the DOB's trendline the most in the back half of the year – an increase in October, and a sharp spike in December

DOB VIOLATION COUNTS BY BOROUGH



- While all boroughs are seeing a decline in monthly DOB violation totals year-over-year, Queens is seeing the highest total decline in 2023 at 28.19% less violations
- The Bronx and Manhattan are seeing a slightly bigger share of total violations issued, but otherwise there's not much change comparing violation count share between boroughs from 2022 to 2023

Taking it one step further, here are the neighborhoods that saw the highest amount of DOB violations from 2022 and 2023:

NEIGHBORHOODS WITH HIGHEST DOB VIOLATION COUNTS

2022		2023 (TO DATE)	
11221	Bushwick & Bedford-Stuyvesant	11207	Bushwick & East New York
11211	Williamsburg	11226	Prospect Lefferts Gardens, Flatbush, & Prospect Park South
11206	Bushwick, Bedford-Stuyvesant, & Williamsburg	11221	Bushwick & Bedford-Stuyvesant
10457	Belmont, Mt. Hope, & Tremont	11211	Williamsburg
11226	Prospect Lefferts Gardens, Flatbush, & Prospect Park South	10458	Fordham, Little Italy, Jerome Park
11201	Dumbo, Downtown Brooklyn, & Cobble Hill	11201	Dumbo, Downtown Brooklyn, & Cobble Hill
11205	Clinton Hill & Fort Greene	11206	Bushwick, Bedford-Stuyvesant, & Williamsburg
11222	Greenpoint	10468	Kingsbridge Heights & Fordham Manor
10458	Fordham, Little Italy, Jerome Park	10453	Morris Heights & University Heights
11207	Bushwick & East New York	10452	Highbridge & Mt. Eden

- While numbers still may change in the coming months, 7 out of 10 neighborhoods remain on the top 10 list this year compared to last year
- According to the city, "Brooklyn accounted for 32% of new housing completions in 2022." More construction means more potential for violations, which may account for Brooklyn's share of citywide infractions

*Neighborhood information confirmed via <https://neighborhoodexplorer.cityofnewyork.us/>
 ** <https://storymaps.arcgis.com/stories/1c9138dc24064b2e8142ff156345a719>

When it comes to the types of violations being issued, here are the top infractions:

CODE	TYPE	NOTES
B106	Miscellaneous Violations	Class 1 infractions
B206	Miscellaneous Violations	Class 2 infractions
B230	Failure to submit required report of crit. exam documenting exterior wall	The top infraction type in Manhattan
B151	Failure to maintain elevator or conveying system	The top infraction type in the Bronx

- “Miscellaneous” violations usually account for the top violation type issued in each borough. They can include anything from Partial Stop Work Orders to scaffolding issues to daily construction logs, and everything in between
- Façade-related violations accounting for 1,034 in Manhattan alone in 2022 may provide some insight into the December violations spike – that’s when many of these infractions were issued

Bonus – Failure to File Violations

Another happening from the DOB in 2023? Mass issuances for “failure to file” violations on key assets.

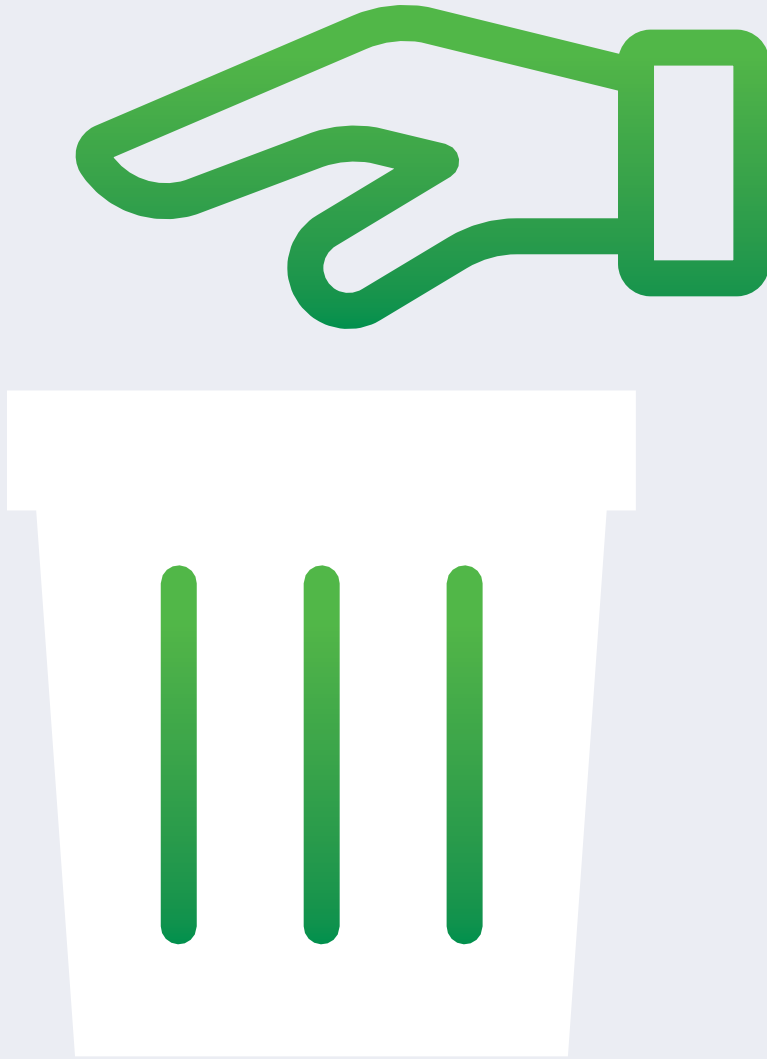
Violations for failure to file annual inspections for boilers and elevators across several filing cycles were issued in the Summer of 2023. These violations are typically shown as LBLVIO and HBLVIO infractions for boilers, and EVCAT1 and ACC1 infractions for elevators. In the case of elevators, five years’ worth of violations for failure to file were issued all at once.

While these violations aren’t tied to OATH or related to the previous statistics, they do carry significant penalties. Violations for annual boiler inspections are \$1,000 per noncompliant device per cycle, while elevator penalties are \$3,000 per noncompliant device per cycle. Multiplying that amount across several cycles could result in steep penalties – up to \$15,000 total per device, in the case of elevators.

Now that the DOB is caught up with violation issuances for recent cycles, it’s possible that these violations will be issued on a more regular basis going forward (i.e., after the cycle’s end instead of several years later). Either way, it’s critical to ensure that annual inspections are filed on time to prevent outsized penalties and keep assets in good working order.

PREVENT PENALTIES GOING FORWARD

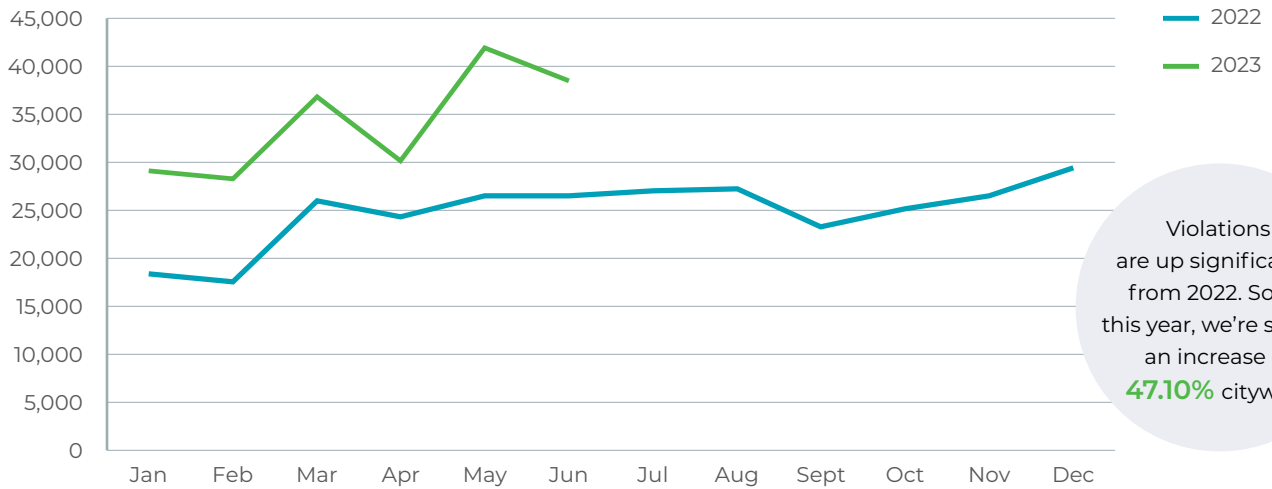
Use Compliance Manager in your SiteCompli or InCheck account to proactively track filings on boilers, elevators, and other key assets and local laws. If you’re not sure how to use Compliance Manager, reach out to your Customer Success Manager to get started.



Department of Sanitation

The Department of Sanitation typically issues the highest amount of OATH-related violations each year among these agencies. With new rules regarding trash setout times (and more on the way), that trend doesn't look to change anytime soon.

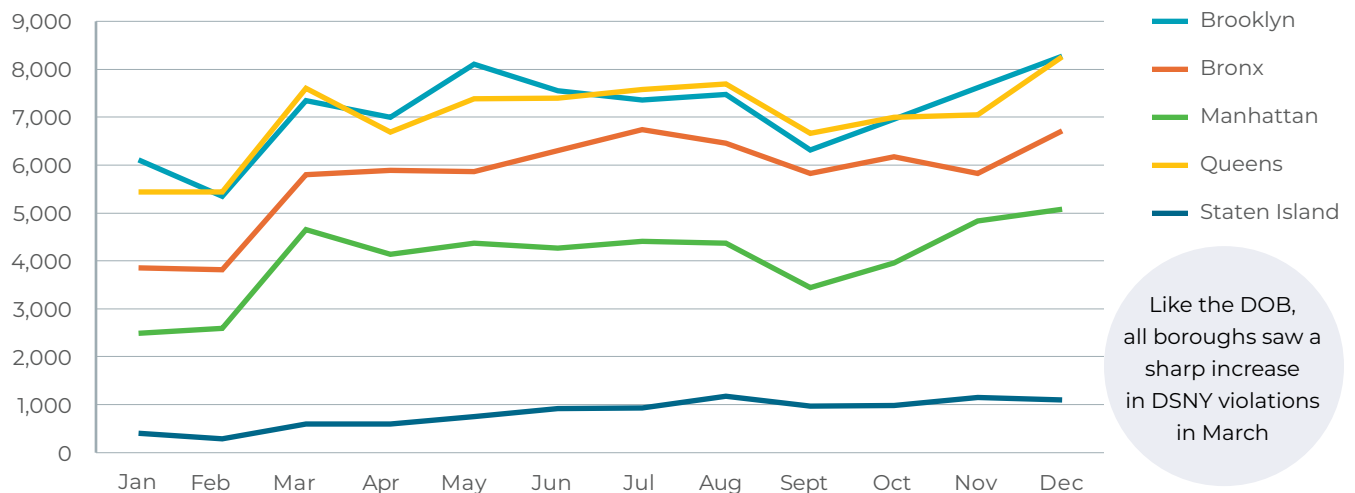
CITYWIDE DSNY VIOLATIONS



Violations are up significantly from 2022. So far this year, we're seeing an increase of **47.10%** citywide

- DSNY violations are up in all boroughs. Increases range from 28.5% for Brooklyn to 130.86% for Staten Island
- In fact, Staten Island's numbers in 2023 are so high – they've already surpassed the total violation count for all of 2022. And we still have several months left in 2023
- All boroughs saw a sharp increase in DSNY violations in May 2023, but none more than the Bronx – 10,010 violations issued in May 2023 compared to 5,868 violations issued in May 2022
- The increase was likely caused by enforcement of new trash setout times citywide

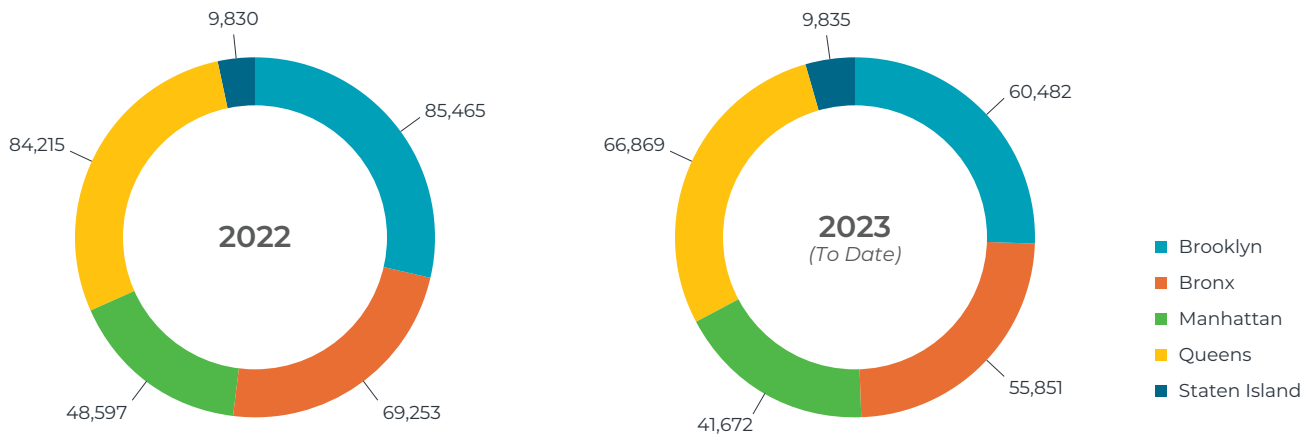
2022 DSNY VIOLATIONS - MONTHLY BY BOROUGH



Like the DOB, all boroughs saw a sharp increase in DSNY violations in March

- All boroughs also saw a decline in September, followed by a sharper increase in December
- Here, violation counts for Queens and Brooklyn are more evenly matched compared to other agencies. The two took turns for highest monthly count throughout the year

DSNY VIOLATION COUNTS BY BOROUGH



- Queens has the highest total count so far in 2023. It's also the only borough with curbside composting for all residents – for now.
- This year, Manhattan is less than 7,000 violations away from exceeding its total violation count for 2022

NEIGHBORHOODS WITH HIGHEST DSNY VIOLATION COUNTS

2022		2023 (TO DATE)	
11385	Ridgewood & Glendale	10467	Norwood & Allerton
10467	Norwood & Allerton	10458	Fordham, Little Italy, & Jerome Park
10456	Morrisania	10456	Morrisania
10468	Kingsbridge Heights & Fordham Manor	11385	Ridgewood & Glendale
10458	Fordham, Little Italy, & Jerome Park	10457	Belmont, Mt. Hope, & Tremont
11207	Bushwick & East New York	11368	Corona & Willets Point
10457	Belmont, Mt. Hope, & Tremont	10460	West Farms, Crotona, & Van Nest
11368	Corona & Willets Point	11207	Bushwick & East New York
11221	Bushwick & Bedford-Stuyvesant	10468	Kingsbridge Heights & Fordham Manor
10472	Soundview	10472	Soundview

- Only one neighborhood doesn't reappear on the 2023 top ten list to date: Bushwick & Bed-Stuy received 4,476 total violations in 2022, but has been bumped by West Farms, Crotona, & Van Nest (receiving 3,421 violation so far this year)
- DSNY violation counts are more evenly spread out across neighborhoods, even among the top 10 areas.
- While there's some overlap from the DOB's top 10 neighborhoods, it's not total. Only 3 neighborhoods in the DOB's top 10 list for 2023 appear in DSNY's top 10 list for the same year

When it comes to the types of violations being issued, here are the top infractions:

CODE	TYPE	NOTES
AS26	Failure to clean 18" into the street	The top infraction in Brooklyn for 2022 – 23 and the Bronx & Manhattan in 2022
AS06	Dirty sidewalk, dirty area	The top issue in Queens for 2022, and the Bronx for 2023
AR7G	Failure to properly put recyclables out for collection (1-8 units)	A growing issue in Queens
ASAC	Storage of receptacles – placed out prior to 8PM without a receptacle	One of the top violations for 2023 that wasn't on the top 10 list for 2022 – a result of the new setout times. Another new issue that's appearing? Uncovered receptacles – 1st offense

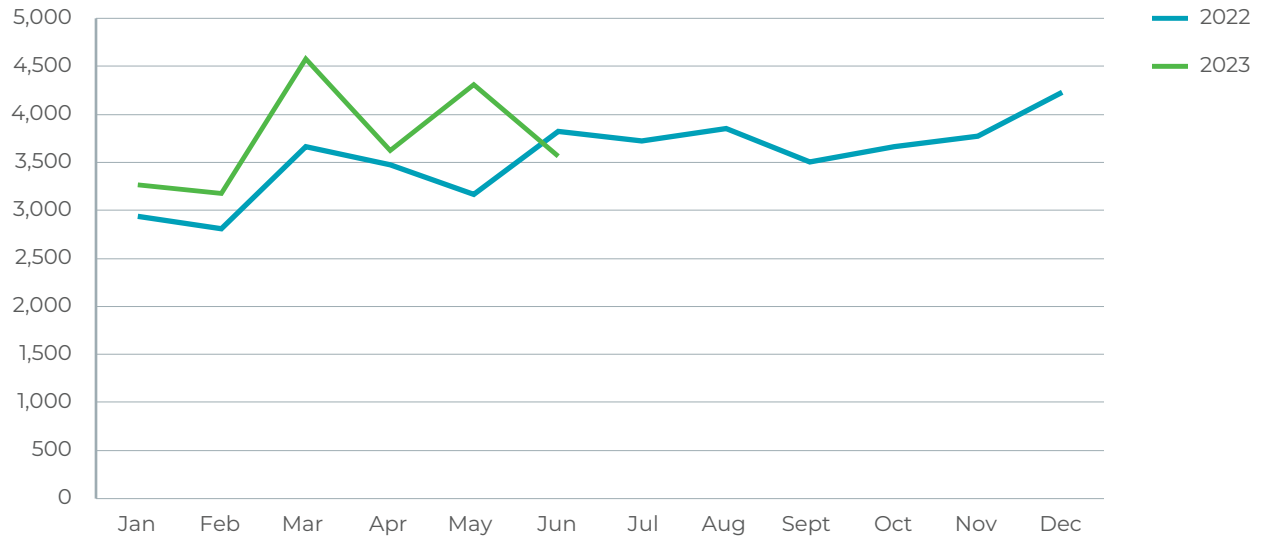
- More of the top infractions include sidewalk obstructions, loose rubbish, and interestingly enough, improper disposal of bedding – 1st offense.
While we won't see final numbers for 2023 until early next year, it'll be interesting to see where AR7G winds up compared to the typical top infraction (failure to clean)



Department of Health and Mental Hygiene

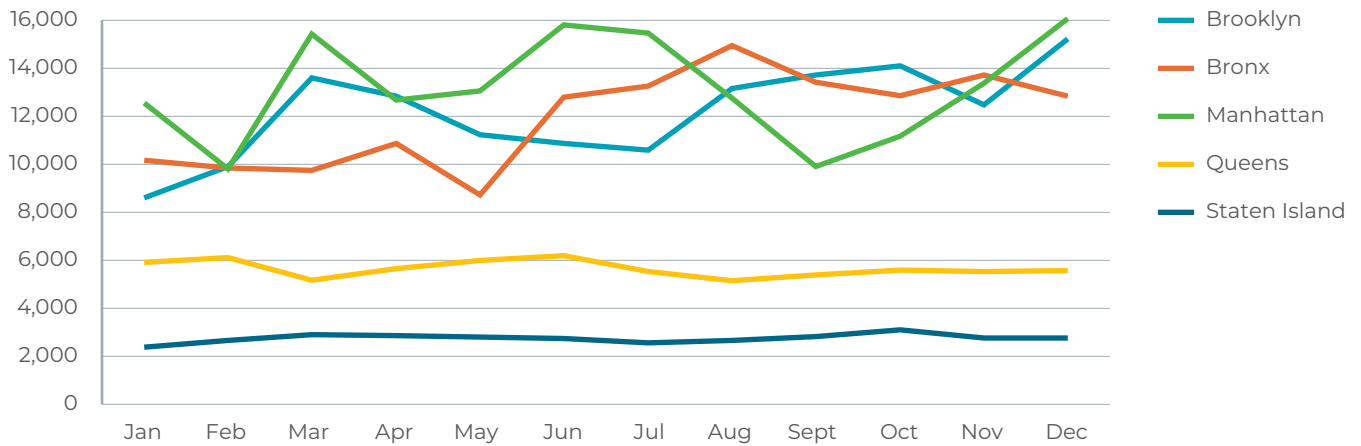
While DOHMH violation counts are lower compared to other agencies, programs focused on rat mitigation may have an impact this year and beyond.

CITYWIDE DOHMH VIOLATIONS



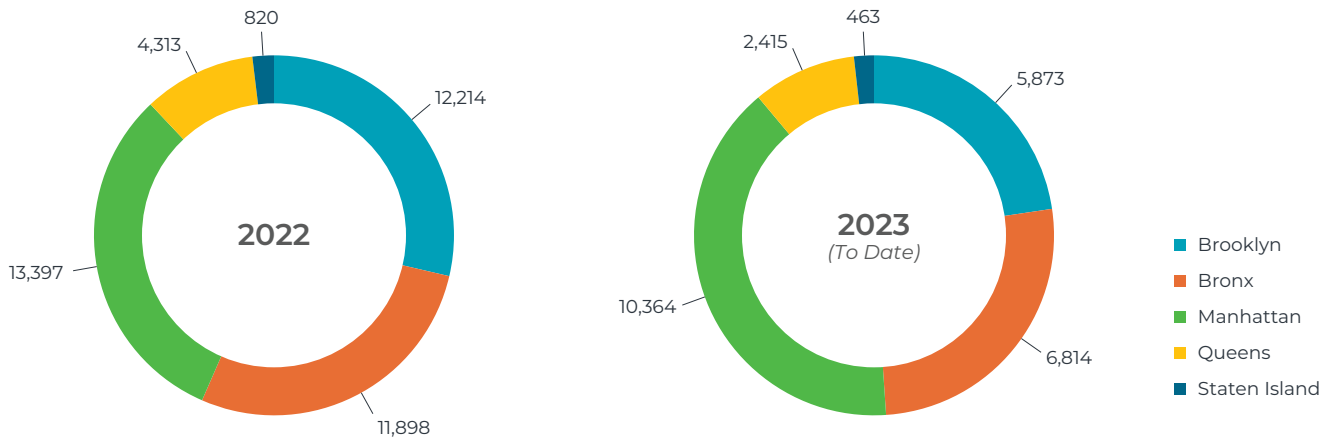
- DOHMH violation counts have the same March increase as other agencies
- Violations are up year-over-year save for June, which isn't far off from the previous year

2022 DOHMH VIOLATIONS - MONTHLY BY BOROUGH



- Three boroughs take turns with the highest monthly count: Brooklyn, the Bronx, and Manhattan
- While we're used to seeing Staten Island with the lowest count for each agency, here Queens has a significantly lower violation count compared to borough differentials for other agencies

DOHMH VIOLATION COUNTS BY BOROUGH

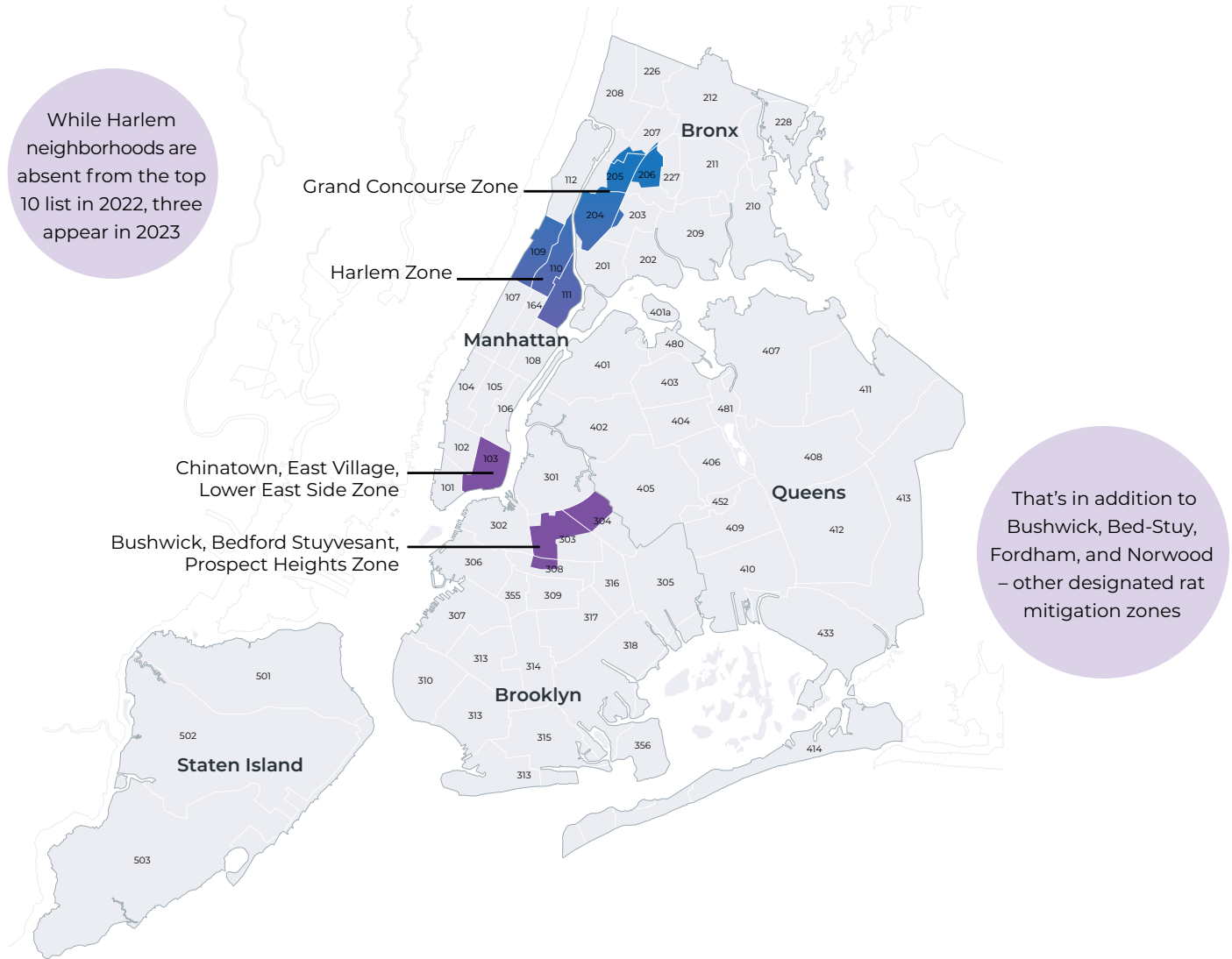


- Manhattan is taking up an increasingly large share of annual DOHMH violations

NEIGHBORHOODS WITH HIGHEST DOHMH VIOLATION COUNTS

2022		2023 (TO DATE)	
11221	Bushwick & Bedford-Stuyvesant	10458	Fordham, Little Italy, & Jerome Park
11216	Bedford-Stuyvesant & Crown Heights	11216	Bedford-Stuyvesant & Crown Heights
11237	Bushwick	10468	Kingsbridge Heights & Fordham Manor
10458	Fordham, Little Italy, & Jerome Park	10031	Harlem, Hamilton Heights, & Sugar Hill
10456	Morrisania	10027	Harlem & Morningside Heights
10457	Belmont, Mt. Hope, & Tremont	11221	Bushwick & Bedford-Stuyvesant
10467	Norwood & Allerton	11237	Bushwick
10468	Kingsbridge Heights & Fordham Manor	10029	East Harlem & Upper East Side
11206	Bushwick, Bedford-Stuyvesant, & Williamsburg	10457	Belmont, Mt. Hope, & Tremont
10453	Morris Heights & University Heights	10467	Norwood & Allerton

How does this compare to the city's designated rat mitigation zones? Let's take a look at the official map*:



There's more to show a clear focus on rat mitigation – the top 4 violations issued by the DOHMH in 2022 and 2023 are all related to rodents, with no change in order from year to year:

CODE	TYPE	NOTES
AH3N	Fail to eliminate rodent infestation shown by active rodent signs – 1st	The top DOHMH violation citywide
AH3P	Fail to eliminate conditions conducive to rodents: debris, vegetation – 1st	Can carry penalties of \$600 or more
AH3R	Fail to eliminate conditions conducive to pests: garbage cans spillage	Can carry penalties of \$300 or more
ASAC	Fail to eliminate rodent infestation shown by active rodent signs – 2nd	Second offense violation. Per agency rules: “[the fine] must be double the amount of the penalty for the previous violation but may not exceed the maximum fine for any Health Code violation”
Other	Failure to submit report of previous year inspection results by Jan 15; Routine monitoring not conducted	While DOHMH does issue violations related to cooling tower and water tank maintenance (inspection, testing, routines, etc.), these violations are issued less frequently than rodent-related infractions

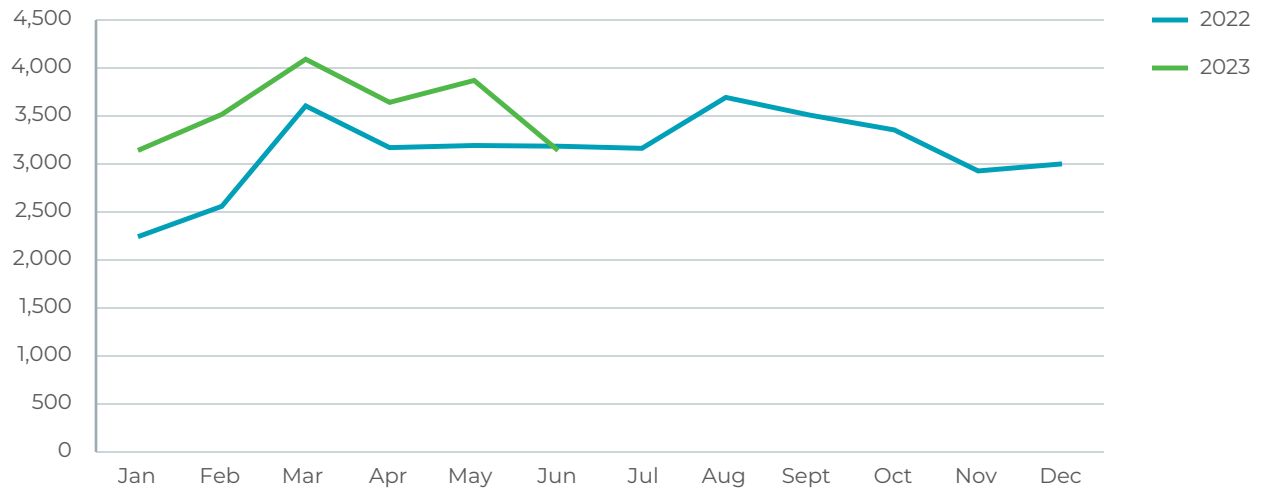
*Rat mitigation zone map from adopted DOHMH rule: https://rules.cityofnewyorkus/wpcontent/uploads/2023/04/Ch.-35_NOA_Rat-Mitigation-Zones_6-7-23-1.pdf



Fire Department of New York

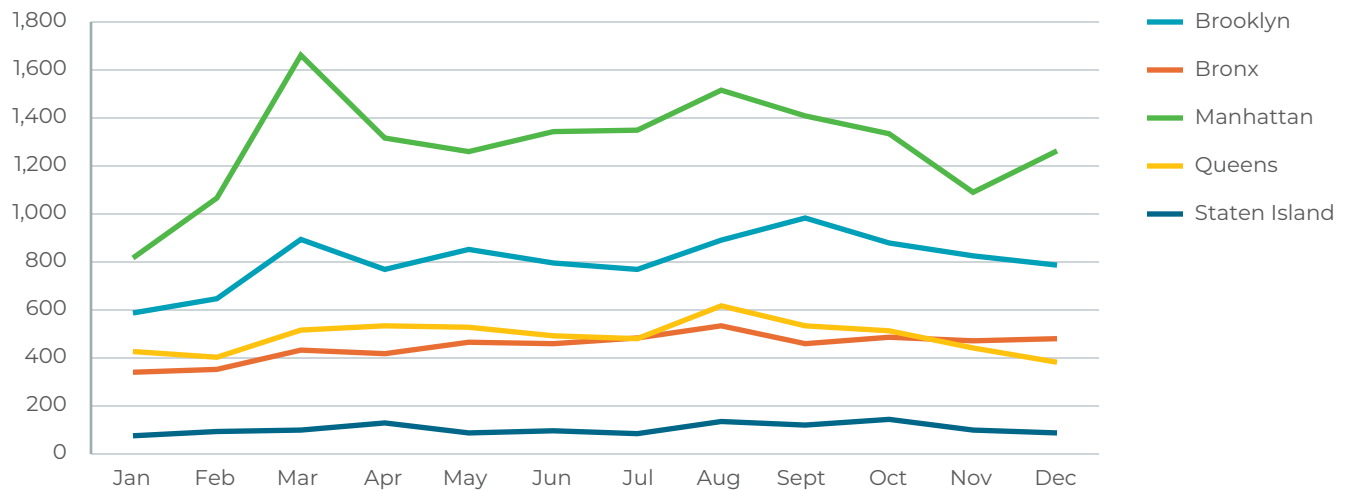
FDNY violations can carry significant penalties, and resolution is critical for resident and occupant safety.

CITYWIDE FDNY VIOLATIONS



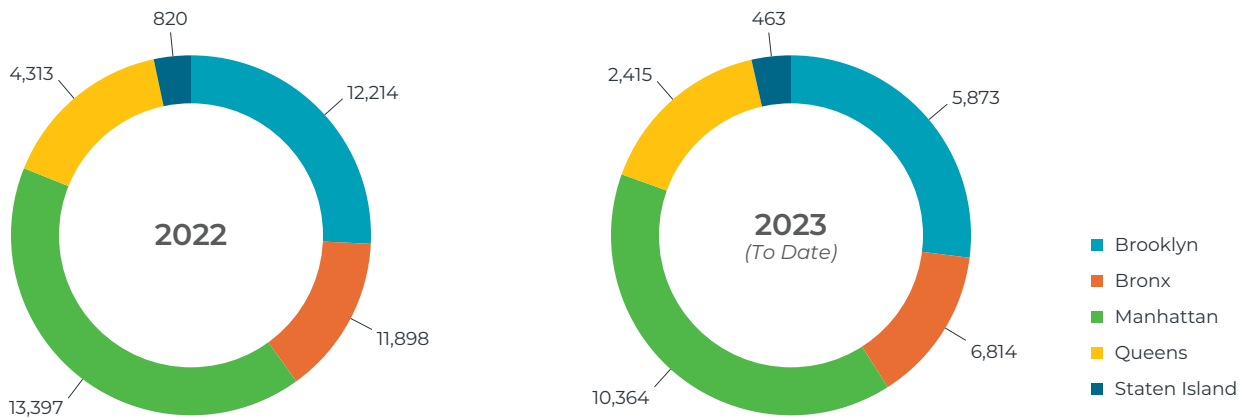
- Similar to DOHMH counts, 2023 numbers see a drop-off in June.
- No large spike at the end of the year – violations mostly trend downwards following the summer

2022 FDNY VIOLATIONS - MONTHLY BY BOROUGH



- Manhattan is far and away the top borough for FDNY violations
- The Bronx and Queens show similar numbers throughout the year with no significant spikes or changes

FDNY VIOLATION COUNTS BY BOROUGH



- There's very little change from year-to-year beyond Brooklyn having a slightly larger share of FDNY violations

Per the numbers, most of the neighborhoods represented on the 2022 and 2023 top 10 lists are in Manhattan:

NEIGHBORHOODS WITH HIGHEST FDNY VIOLATION COUNTS

2022		2023 (TO DATE)	
10016	Kips Bay & Murray Hill	10001	Chelsea, Hudson Yards, & Koreatown
10019	Hell's Kitchen	10018	Midtown West
10001	Chelsea, Hudson Yards, & Koreatown	11201	Dumbo, Downtown Brooklyn, & Cobble Hill
10036	Midtown West & Hell's Kitchen	10016	Kips Bay & Murray Hill
10013	Soho & Chinatown	10019	Hell's Kitchen
11101	Long Island City	10036	Midtown West & Hell's Kitchen
10003	Gramercy, East Village, & Union Square	10003	Gramercy, East Village, & Union Square
11201	Dumbo, Downtown Brooklyn, & Cobble Hill	10013	Soho & Chinatown
10011	Chelsea, Flatiron & West Village	10002	Lower East Side
10018	Midtown West	11101	Long Island City

There's not much change when it comes to top violation types, either:

CODE	TYPE	NOTES
BF35	FP Systems: Fail to prevent unnecessary/unwarranted alarm	#1 issue in 2022, and (so far) #2 issue in 2023
BF20	Inspection and Testing	The reverse of the above infraction - #2 in 2022, and #1 in 2023
BF06	Signs, Postings, Notices, and Instructions	Climbing on the top 10 list from last year – can include all kinds of signage, including equipment, egress, and more
BF07	Labels/Markings	New to the top 10 list in 2023; can be for sprinkler/standpipes

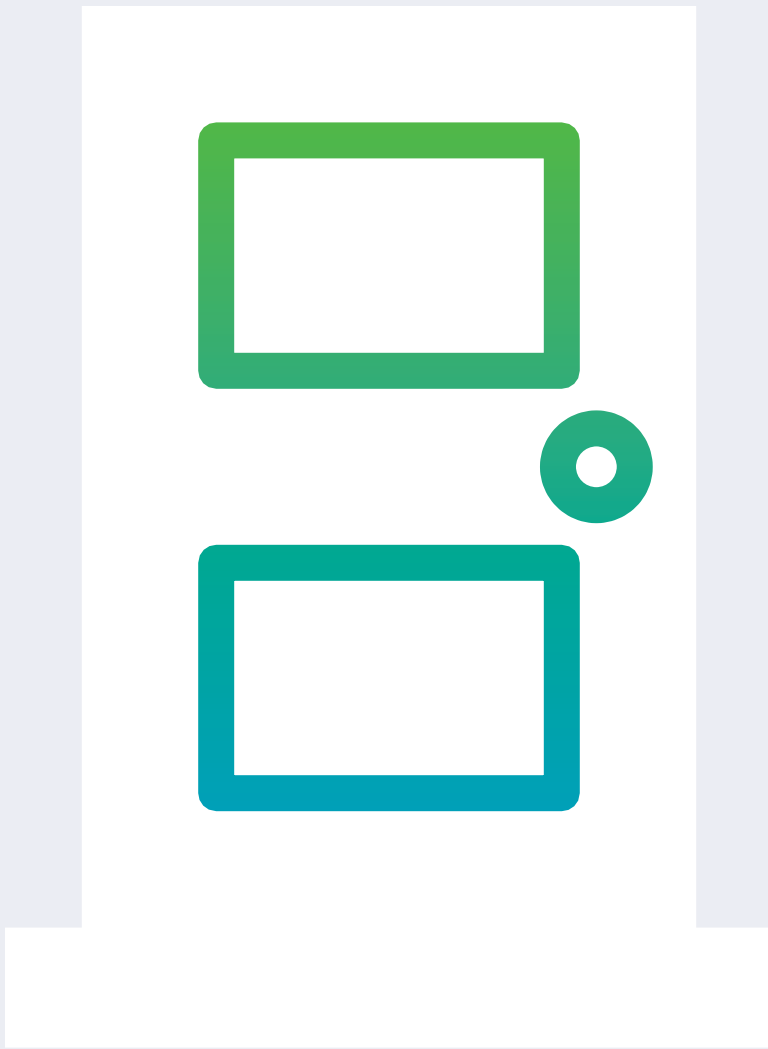
What about other OATH related agencies?

While other agencies like DEP & DOT issue violations that add up to OATH's citywide totals, a majority of those aren't associated with property owners & management entities.

For example, over 25,000 DEP infractions were issued for idling vehicles in Manhattan in 2022 compared to 1,365 issued for failure to inspect backflow prevention devices in the same borough and year. That said, DEP infractions are on the rise too – 51% citywide, and 92% in Brooklyn alone – so it's critical to ensure inspections for your backflow devices are performed on time.

HOT TIP:

Backflow prevention devices are another item you can track using Compliance Manager in SiteCompli or InCheck!

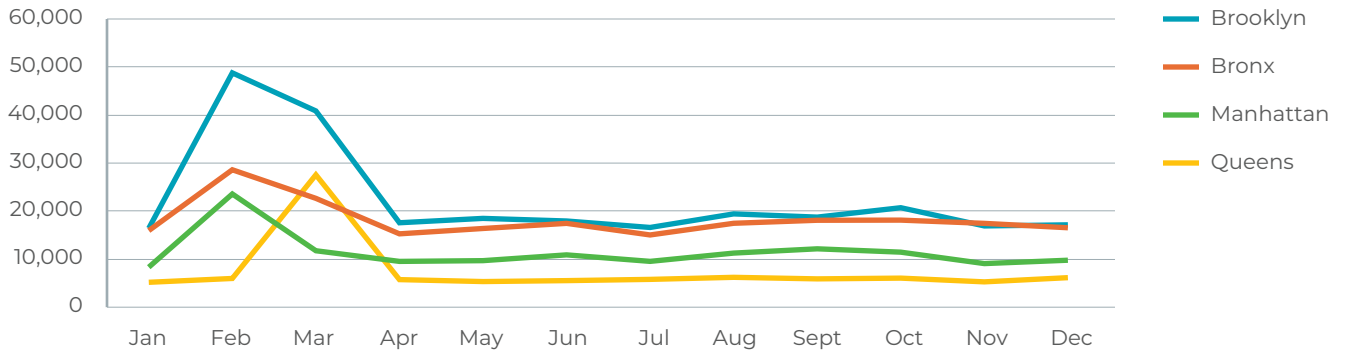


Housing Preservation & Development

While HPD violations aren't associated with OATH fines and hearings, they are tied to quality of life issues. Resolving them is critical to resident safety and avoiding increased enforcement – including expanded enforcement programs.

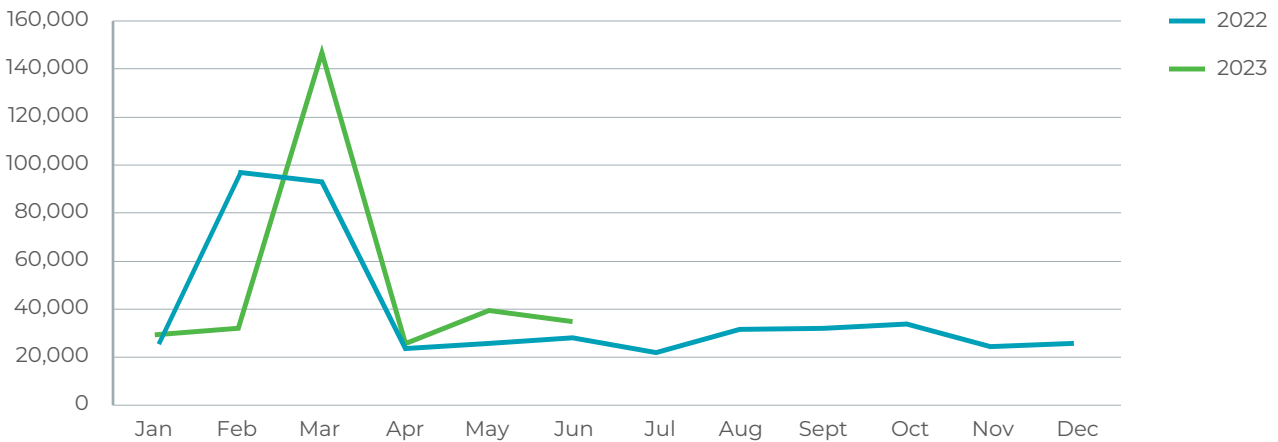
Let's take a look at violation counts in 2022, and how things compare with the first half of 2023.

HPD VIOLATIONS BY MONTH & BOROUGH - 2022



- While all four boroughs represented here have a big bump early in the year, Brooklyn has the largest – and sees the most violations throughout the year, with some late fall overlap in the Bronx
- Even January violation counts (mid-heat season) are on par with, or even lower than, count totals for most months out of the year.
- Don't worry – we haven't forgotten about Staten Island! Read on for some notes about this borough and HPD violations

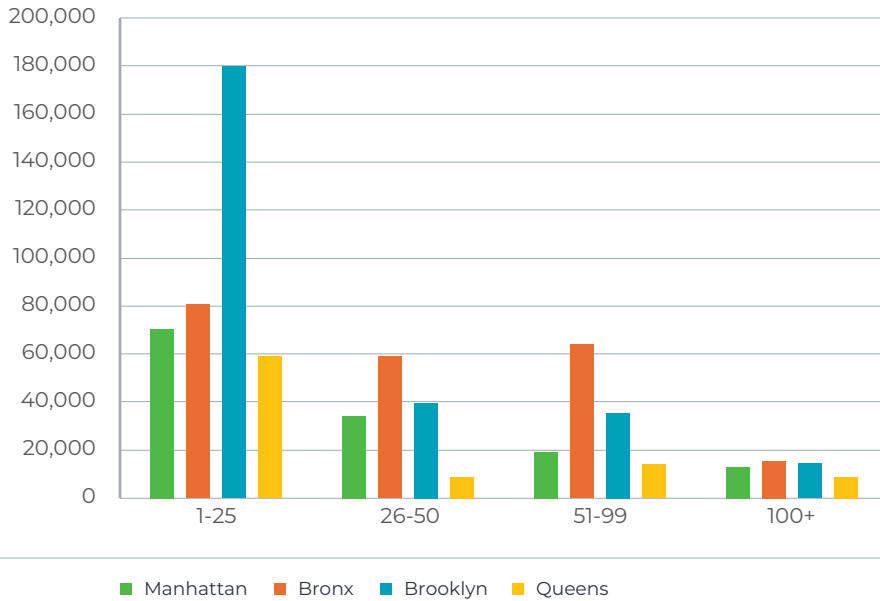
CITYWIDE HPD VIOLATIONS



- Another sharp spring increase in 2023 violation counts, but slightly off from the same timing in 2022
- April, May, and June counts for 2023 are higher than 2022 – we'll revisit these numbers at the end of the year to see if that trend continues

Another way to view HPD violations is by building size – do the amount of units in a property impact total violation count?

HPD VIOLATIONS BY UNIT COUNT & BOROUGH - 2022

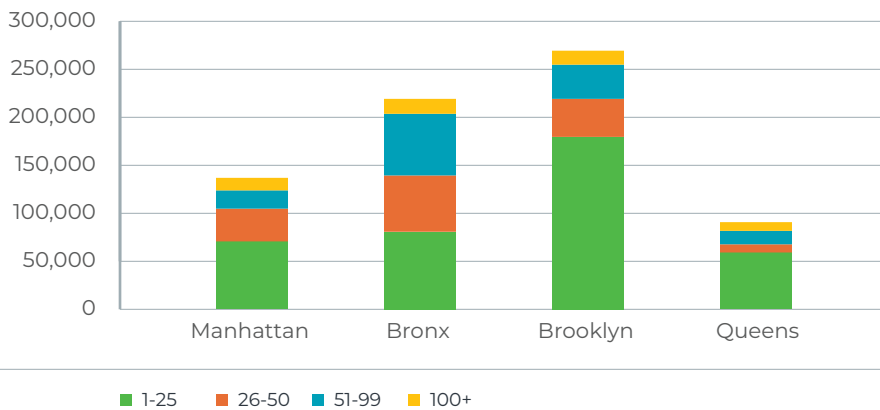


Where's Staten Island?

Staten Island has the lowest total of HPD violations by far. Monthly totals are often in the mid-hundreds compared to the remaining boroughs, who see violation counts in the thousands (and often much more). The patterns for Manhattan, the Bronx, Brooklyn, and Queens also hold true for Staten Island – large violation counts in the beginning of the year (March especially), with a drop and relative hold for the rest of the year.

Here are the same numbers, stacked by borough:

HPD VIOLATIONS BY UNIT COUNT & BOROUGH - 2022 STACKED



- Generally, with few exceptions, more HPD violations are issued for smaller buildings citywide than for larger buildings
- The difference is especially prominent in Brooklyn. That said, there are over 2.5 times as many units making up 1-25 unit properties in Brooklyn, compared to 100+ unit properties
- Not so in Manhattan – there are 2.5 times more units that make up 100+ unit properties, but significantly fewer violations are issued to those buildings. In fact, monthly violation totals for large properties in Manhattan don't exceed 2,000, where the smallest properties in the same borough have a ceiling of 16,082 violations per month

Let's dive into the numbers a bit deeper. Here's an average outlook based on total violation counts in 2022, and the number of active HPD units in each borough:

On average...

Buildings in Manhattan receive	12 – 13 violations per 100 units
Buildings in Bronx receive	43 violations per 100 units
Buildings in Brooklyn receive	31 violations per 100 units
Buildings in Queens receive	16 violations per 100 units
Buildings in Staten Island receive	15 – 16 violations per 100 units

While Manhattan has the highest amount of active HPD units, it has the lowest VPU count in the city. Compare that to the Bronx, which has the second-lowest amount of active HPD units, and the highest VPU.

Beyond the numbers, looking at the top types of violations issued this year mirrors recent priorities from new and expanded rules:

CODE	TYPE	NOTES
1507	Failure to file annual bedbug report	The top violation in all but one borough (The Bronx). Pro tip – bedbug report processes and progress can be tracked using Compliance Manager!
508	Repair broken or defective plastered surfaces and paint in a uniform color	Consistently high violation count in 2022 and 2023 citywide
530	Repair or replace Self-Closing Door that is missing or defective	Consistently high in each borough. New HPD rules will implement an agency inspection program here for 300 buildings a year, partially driven by self-closing door complaints

What do these numbers mean for you?



Timing Is Everything

Many agencies and boroughs see violation counts spike in early spring. Whatever you call it - March Madness, Spring Fling, or seasonality – this is a trend from we saw in 2022 and 2023, and may likely see again in 2024.



It's Not Just Big Buildings

Large properties in NYC aren't the only ones seeing increased enforcement. Based on the numbers, smaller properties can see the lion's share of some key violations.

That said – bigger buildings don't mean fewer problems. As the city increases regulations and required filings, larger properties may see increased compliance risk. Specifically, more regulations on assets (more elevators at a building = more risk for elevator filing penalties) and more sustainability requirements (like Local Law 87 and Local Law 97) can carry outsized fines.



Employ Proactive Strategies

Staying on top of required filings – especially HPD requirements like annual bedbug reporting & registration – can help lower violation counts. Keeping counts low is especially important for avoiding inclusion in new enforcement programs. Bottom line – the more proactive your team is in tracking and taking action on compliance, the more you can avoid increased enforcement.

Be proactive, not
reactive – talk
to us about how
to level up your
compliance strategy

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