

siteCOMPLI[®]

2024 EDITION

THE BIG BOOK OF NYC LOCAL LAW COMPLIANCE

A GUIDE FOR PROPERTY OWNERS AND MANAGERS

Empower your team & prevent violations in
the world's most complex environment

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It's not hyperbole – last year brought on more requirements for properties in the five boroughs than ever before. And 2024 kicks off several new regulations, many that are increasingly complex.

We're here to simplify things.

This Guide is your key to understanding what's required for most NYC properties, and how to stay ahead of the ever-changing compliance curve.

Big city changes also mean a big change for our Guide. We wanted to cover as many details as possible so your team can stay informed, take action, and reduce risk. Say hello to this year's edition of The Big Book of NYC Local Law Compliance – your go-to resource for the latest compliance changes and best practices for NYC property operations.

Read on to learn strategic approaches to crafting your compliance action plan, get the scoop on new and updated regulations, and discover best practices for managing it all.

Get Even More Details

We'll let you know where you can find even more information and resources on the topics in this guide.

To get the latest compliance updates and news directly in your Inbox, subscribe to our Blog:

<https://sitecompli.com/blog#subscribenow>

HIGHLIGHTS FOR THIS YEAR:

- Local Law 97 Is Here – What Does That Mean For You?
- Understanding Complex Parking Structure Requirements
- How To Manage Required “Non-Filings”
- HPD Changes – Increased Fines & New Lead Laws
- Annual Outlook – Where's The Focus In 2024 And Beyond?



MUST-DO'S:

REQUIRED

INSPECTIONS,

FILINGS, AND MORE

GAS PIPING SYSTEMS

Get Step-By-Step Details

For updated instructions and more, visit:

<https://www.nyc.gov/site/buildings/property-or-business-owner/gas-piping-inspections.page>

The first cycle of Local Law 152 inspections and certifications for gas piping systems has finished. The second cycle of this requirement kicked off on January 1, 2024 with Subcycle A. Here are key things to remember:

- Inspections of gas piping systems must be conducted by a qualified inspector (a Licensed Master Plumber, or a qualified individual working for one), submitted to the building owner within 30 days of the inspection date, and submitted to the DOB no later than 60 days from the inspection date
- If there are any issues found and corrections are required, a Certification confirming that corrections were completed must be submitted within 120 days of the original inspection
- Failure to submit inspections may result in a \$5,000 penalty per property
- If you have questions, reach out to LL152of16@buildings.nyc.gov



INSPECTION SUBMISSION DEADLINES – CYCLE 2

Subcycle A	Community Districts 1, 3, and 10	January 1, 2024 – December 31, 2024
Subcycle B	Community Districts 2, 5, 7, 13, and 18	January 1, 2025 – December 31, 2025
Subcycle C	Community Districts 4, 6, 8, 9, and 16	January 1, 2026 – December 31, 2026
Subcycle D	Community Districts 11, 12, 14, 15, and 17	January 1, 2027 – December 31, 2027

EVEN IF YOU DON'T HAVE GAS PIPING, YOU STILL NEED TO COMPLY:

Instead of an inspection, properties without a gas piping system must have a Licensed Master Plumber or registered design professional certify that the building contains no gas piping. Like an inspection, these certifications must be submitted to the DOB within their subcycle's designated timeframe.

There's a third path for buildings that have gas piping systems but are not currently supplied with gas or connected to any equipment. Those properties must submit documentation to the DOB's online portal, including signed statements from the utility company and a certification from the owner of the building.

Community Districts

Do you know your property's community district?

Our team can help.

Reach out to support@sitecompli.com to get a report for your portfolio.

WHAT'S NEW WITH ELEVATORS

Recent changes to elevator compliance – like the significant shortening of filing windows and mass violation issuances – are having a huge impact on owners and managers. It's more important now than ever to coordinate with your elevator vendor and consultants to avoid late fees and significant penalties.

PERIODIC INSPECTIONS

The periodic inspection requirement for devices has now been in effect for a few years. As a reminder, periodic inspections are no longer performed by private directors or inspectors on behalf of the DOB. Instead, building owners must hire an authorized agency to perform annual periodic inspections for their devices. This requirement is separate from and in addition to annual Category 1 inspections.

PERIODIC INSPECTION REMINDERS:

- Periodic inspections must take place between January 1 and December 31 of each year, with a minimum of 90 days from the date of any Category 1 testing or past periodic inspection
- Initial periodic inspections on new installations must be performed in the calendar year following the final acceptance test
- Periodic inspections must be performed by an approved elevator agency and cannot be affiliated with the agency performing the maintenance
- Witnessing agencies are not required to witness the periodic inspections

PERIODIC ELEVATOR INSPECTION FILING DEADLINES

Submit periodic inspection report to the DOB	Within 14 days of the inspection date
Correct defects identified in the periodic inspection report	Within 90 days of the inspection date
Submit Affirmation of Correction to DOB	Within 14 days of the date corrections were made



KNOW THE DIFFERENCE: PERIODIC INSPECTIONS VS. CATEGORY 1 TESTING

Periodic inspections and Category 1 tests are different – and they’re both required for devices. Category 1 tests are performed by an approved elevator inspection agency and witnessed by an approved agency not affiliated with the agency performing the inspection.

Submission timelines are slightly different, as well:

Fines Waived?

The DOB has proposed to waive fines for failure to file AOCs in 2022 and 2023. Find out more & get updates on the blog:

<https://sitecompli.com/blog/proposed-rule-elevator-aoc-penalties-in-2022-and-2023-being-adjusted/>

UPDATED CATEGORY 1 INSPECTION FILING DEADLINES

Submit test report to the DOB	Within 21 days of the inspection date
Correct defects identified in the test report	Within 90 days of the inspection date
Submit Affirmation of Correction to DOB	Within 14 days of the date corrections were made

DON'T FORGET ABOUT CATEGORY 5 TESTS

Category 5 tests are performed within 5 years from the month of the most recent test (e.g. June 2024 for a June 2019 test). Per the department, reports must be submitted within 21 days of the test date to avoid late fees. Filings not submitted by the 21st day of the month, following the five-year anniversary, will not be accepted and failure to file violations will be issued (with a \$5,000 penalty).

MASS VIOLATION ISSUANCE IN 2023

In the summer of 2023, violations for failure to file annual CAT 1 elevator inspections over a 5 year period (2018 – 2022) were issued en masse. Each violation carries a \$3,000 penalty per noncompliant device. Violations for failure to file Affirmations of Correction on required devices were also issued.

As of this guide’s print date, violations for the 2023 cycle have yet to be issued. Still, it’s unlikely that violations will be paused for such a significant time again, barring any regulatory changes or issues.

PARKING STRUCTURES

We're now almost halfway through the first cycle of required parking structure inspections. As a reminder, teams must hire a NYS licensed professional engineer who is designated by the Department as a Qualified Parking Structure Inspector (QPSI). They will inspect the structure at least once every six years and file a report with the Department of Buildings.

Here's what's changed since last year, and what you need to know going forward.

CYCLE 1 REMINDERS			
Subcycle A	January 1, 2022 – December 31, 2023	Manhattan Community Districts 1 - 7	The first reports were due at the end of 2023. Structures will have to perform annual observations until the next due date, likely 2029.
Subcycle B	January 1, 2024 – December 31, 2025	Manhattan Community Districts 8 – 12, and all of Brooklyn	These structures can submit an inspection before August 1, 2024 to cover both the one-time initial observation requirement, as well as the required cyclical inspection.
Subcycle C	January 1, 2026 – December 31, 2027	All of the Bronx, Queens, and Staten Island	These structures need to submit a one-time initial observation before August 1, 2024, in addition to an inspection during this filing period.

WHAT'S THE ONE-TIME INITIAL OBSERVATION REQUIREMENT?

In an effort to get as much information about parking structures citywide as soon as possible, the DOB has required structures in Subcycles B and C to submit a one-time observation before August 1, 2024.

Structures in Subcycle B can fulfill both this requirement and their inspection requirement by submitting a full inspection before August 1, 2024.

ANNUAL OBSERVATIONS

Besides the initial observation, teams will not have to submit annual observations to the DOB. That said, observations must be performed and kept on file, and any issues must be reported and responded to per the law.



Initial Observation

Learn more about this initial observation in the DOB's service notice:

https://www.nyc.gov/assets/buildings/pdf/ips_observation-sn.pdf

Parking Structure Help

Get a full breakdown of requirements in our easy-to-read infographic:

<https://sitecompli.com/knowledge-center/resources/understanding-parking-structure-requirements-cycle-1/>

BREAKING BOILERS

DOB REQUIREMENTS FOR BOILER INSPECTIONS

Inspection cycle: January 1 - December 31

Annual inspections must be performed in this timeframe and are required for both high and low pressure boilers. All inspection reports are due within 14 days from the date of performing the inspection.

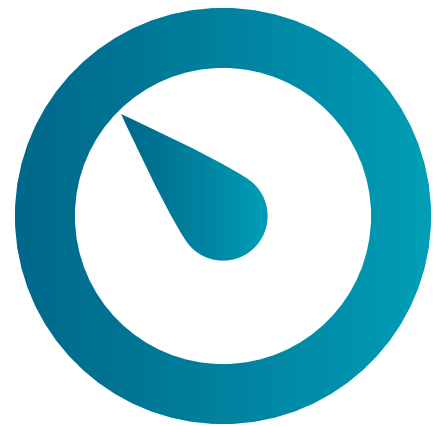
LOW PRESSURE BOILERS

Property owners must hire a licensed professional to conduct inspections. This can be a qualified installer licensed by the DOB or an authorized insurance company. Inspection reports for these inspections must be filed for H-stamped and E-stamped boilers (not HLW-stamped hot water heaters) located in the following property types:

- Residential buildings with six or more families
- Commercial and mixed-use buildings (1-5 residential units and commercial space), regardless of boiler BTU capacity
- Residential buildings classified as Single Room Occupancy dwellings

The following registered low-pressure boilers **DO NOT** require an annual inspection:

- Boilers in residential buildings with 5 families or fewer
- Single boiler located within a single dwelling unit and supplying heat only to that unit



DON'T FORGET: Low-pressure boilers with a heating input of 100,000 BTUs or less are subject to inspection when located anywhere outside a single apartment within a 6 or more residential occupancy, commercial or mixed-use property.

HIGH PRESSURE BOILERS

High pressure boilers have slightly different requirements from low pressure boilers:

- Two inspections required: internal and external
- Inspections must be conducted in the same cycle (year), but should be performed approximately six months apart
- Inspections must be conducted by an authorized insurance company
- Inspectors must notify the DOB at least 10 days before performing the internal inspection

Electric high-pressure boilers must be annually inspected as high-pressure boilers in accordance with Article 303 of Title 28 of the NYC Administrative Code.

FILING PROCESS & ENFORCEMENT

Annual boiler inspections are required to be submitted to the DOB NOW: Safety 14 days after the inspection date. Late filings will result in a \$50 fee for every month past the initial due date, up to a maximum of \$600 per boiler.

Reports submitted after the late filing period (no later than January 14 of the calendar year immediately following the inspection cycle) will receive the full civil penalty of \$1,000 per boiler.

DEFECTS FOUND	DANGEROUS CONDITIONS
<p>A 90-day period from the initial inspection date is given to correct any defects, and another inspection report must follow 14 days after the defect is corrected.</p> <p>If the subsequent inspection report is filed after the correction due date, a failure-to- file Affirmation of Correction civil penalty of \$1,000 per boiler will be imposed.</p>	<p>The boiler must be immediately shut down if it is a threat to the life and safety of inhabitants of the building. The inspector who deemed the boiler dangerous has 24 hours to notify the DOB's Boiler Unit by email.</p>

View Boiler FAQs On The DOB's Site:

<https://www.nyc.gov/site/buildings/safety/boiler-frequently-asked-questions.page>

More Details & Boiler Glossary

<https://www.nyc.gov/site/buildings/safety/boiler-compliance.page>

BOILER REMOVALS

An OP49 must be filed with the DOB in DOB NOW: Build as confirmation of a boiler removal or disconnection. This form must be submitted within 30 days of removal/disconnection, or it may be subject to late penalties.

Filing an OP49 is critical - if you don't officially remove a boiler with the DOB, they may still issue annual administrative penalties for failure to file annual inspections - even if the building itself is demolished.

DEP BOILER TRIENNIALS

In addition to DOB regulations, certain boilers also must comply with requirements from the Department of Environmental Protection. DEP registrations for specific boilers are typically renewable every three years and can be accessed through the online Clean Air Tracking System (CATS).

Get The Details

See the full DEP requirement list here:

<https://www.nyc.gov/assets/dep/downloads/pdf/air/cats/cats-boiler-filing-applicability.pdf>

BOILER REGISTRATION I	BOILER REGISTRATION II	BOILER WORK PERMIT/CERTIFICATE OF OPERATION
350,000 BTU/hr to less than 2.8 million BTU/hr heat input	2.8 million BTU/hr to less than 4.2 million BTU/hr	4.2 million BTU/hr and above
<p>The owner, owner's representative or any licensed professional could submit an application form. It must contain the boiler make/model, max heat input and gross output (Btu/hr), and fuel type.</p> <p>Registration will be issued for three years from the date of approval.</p> <p>IMPORTANT: Boilers (owned by the same person in the same building) that are less than 350,000 BTU/hr each but combined have a heat input equal to 350,000 BTU/hr or greater must be registered in a single registration.</p>	<p>The owner, their representative, or any licensed professional could submit an application form. It must contain the boiler make/model, max heat input and gross output (Btu/hr), and fuel type of Boiler Room Plan.</p> <p>Professional Engineer Certification is required for boiler design and Boiler Room Plan.</p> <p>Licensed Oil Burner Installer (LOBI) and/or Licensed Master Plumber (LMP) must be identified before submitting the online form.</p> <p>Final Registration II will be issued for three years from the date of approval of initial Registration II.</p>	<p>Only a Professional Engineer/Registered Architect is allowed to file for a Work Permit.</p> <p>Drawings/Plans (in PDF format) with a Plot Plan, Boiler Room Layout and Boiler Plan, equipment compliance certification, draft calculations, heat load calculations for a new building, Workman's Compensation Insurance documents are all required.</p> <p>A work permit is issued for one year from the date of approval. Original Inspection request needs to be submitted by PE, LOBI/LMP along with performance test data and combustion test printouts.</p> <p>Certificate of Operation will be issued for three years from the date of the original inspection.</p>

FACADE INSPECTIONS

To keep properties and New Yorkers safe, owners of buildings seven stories and higher must have exterior walls and appurtenances inspected every five years under Local Law 11. Façade Inspection Reports must be submitted to DOB NOW: Safety.

CYCLES 9 AND 10

Cycle 9 is coming to an end, and Cycle 10 is in sight. Make sure your team has inspection plans ready to go so you don't miss a deadline.

SUBCYCLE	LAST DIGIT OF BLOCK #	CYCLE 9 DATES	CYCLE 10 DATES*
A	4, 5, 6, 9	2/21/20 - 2/21/22	2/21/25 - 2/21/27
B	0, 7, 8	2/21/21 - 2/21/23	2/21/26 - 2/21/28
C	1, 2, 3	2/21/22 - 2/21/24	2/21/27 - 2/21/29

As of print time, an amnesty or extension period for Cycle 9 has not been announced. Stay tuned to [sitecompl.com/blog](https://www.sitecompl.com/blog) for any changes.

*These are estimated dates based on patterns from previous cycles; nothing has been officially announced by the DOB yet.

PENALTIES AND FINES

FILING FEES	PENALTIES
<ul style="list-style-type: none">▪ Initial report filing fee - \$425▪ Amended/subsequent report - \$425▪ Extension report - \$305	<ul style="list-style-type: none">▪ Late filing (initial report) - \$1,000/month▪ Failure to file (initial report) - \$5,000/year▪ Failure to correct SWARMP conditions - \$2,000▪ Failure to correct unsafe conditions – varies, see link below*

Get The Details

See what observations have to include in our post:

<https://sitecompli.com/blog/reminder-dob-parapet-observation-requirement-begins-in-2024/>

NEW – PARAPET OBSERVATIONS

Parapet observations are now required annually for all buildings (with some exceptions).

Owners must have an observation for all buildings with parapets fronting the public right-of-way, regardless of height. Detached 1-2 family homes or buildings with a fence or other barrier preventing access to the exterior wall are exempt.

Observations must be performed by a competent person, follow guidelines provided in the new law, and be done within each calendar year. While they don't have to be submitted to the DOB, they do need to be saved and provided upon request

HOW DOES THIS INTERACT WITH FACADES?

Per the DOB, if the FISP report performed in a given year includes all information required to satisfy rule 1 RCNY 103-15, no separate parapet observation is required for that year. The owner must have a copy of the FISP report available upon request. Of course, parapet observations still have to be performed and kept during off-years in between FISP filings.

*View specific fees for failure to correct unsafe conditions in the full text of the rule: https://www.nyc.gov/assets/buildings/rules/1_RCNY_103-04.pdf

COOLING TOWERS

WHAT TO KNOW

INITIAL REGISTRATION: All cooling towers must be registered with the DOB prior to operation.

ANNUAL CERTIFICATION: All owners/managers of properties with cooling towers are required to submit annual certification with the DOB, verifying that the cooling tower has been inspected, tested, cleaned, and disinfected. The annual due date is November 1st.

MAINTENANCE PLAN: Mandatory regular inspections, testing, cleaning, and disinfection of cooling towers is required in accordance with City Local Law 77.

DISCONTINUED USE: Owners/managers must notify the DOB within 30 days after removing or permanently discontinuing use of a cooling tower. The tower must be drained and sanitized according to current DOHMH requirements.

EXTENDED SHUT-DOWN: Cooling towers shut down for more than five days must be cleaned and disinfected. Cleaning must occur within 15 days before resumed use.

SUMMERTIME HYPERHALOGENATION: Maintenance requirement implemented to mitigate the risk of Legionella growth in cooling tower systems throughout the summer – specifically required between July 1 and August 31 of every year.

Review Maintenance Program & Plan Requirements Here:

<https://www.nyc.gov/site/doh/business/permits-and-licenses/cooling-towers-mpp.page>

Hyperhalogenation How-To's:

<https://www1.nyc.gov/assets/doh/downloads/pdf/cd/summertime-disinfectant-faq.pdf>





**SUSTAINABILITY
REQUIREMENTS**

BENCHMARKING

Owners of buildings 25,000 square feet and up are required to file information about energy usage annually through the online Energy Star Portfolio Manager tool. Reports are due by May 1st for the previous year (e.g. file 2023 in 2024), with additional quarterly deadlines for those who missed the initial due date.

DEADLINES:

- 1st Deadline: May 1
- 2nd Deadline: August 1
- 3rd Deadline: November 1
- 4th Deadline: February 1 - Following Year

Each deadline carries a violation and a \$500 penalty, which can total \$2,000 for the year for failure to file. These violations are typically seen as BENCH- BENCHMARKING infractions issued by the DOB.

Check to see if your properties are required to Benchmark in your SiteCompli or InCheck Account

<https://clients.sitecompli.com/dob/benchmarking>



DON'T FORGET!

Properties that are required to Benchmark must post Energy Grades at building entrances each year. Updated Grades are available in DOB NOW on October 1st, and must be posted by October 31st to avoid a \$1,250 penalty per building.

LOCAL LAW 87

ENERGY AUDITS AND RETRO COMMISSIONING

Local Law 87 mandates that buildings over 50,000 gross square feet undergo a periodic energy audit and retro-commissioning measures. They must submit an Energy Efficiency Report every 10 years.

Check to see if your properties are required to submit EERs in your SiteCompli or InCheck account

<https://clients.sitecompli.com/dob/audit>

This law's intent is to inform building owners of their energy consumption through energy audits, which are surveys and analyses of energy use, and retro-commissioning, ensuring correct equipment installation and performance.

EERs are due on December 31st of their designated year. As of January 1, 2022, EERs must be submitted to the DOB by Registered Design Professionals.

DUE DATES CORRESPOND WITH THE LAST DIGIT OF YOUR TAX BLOCK NUMBER:

4	5	6	7	8	9	0	1	2	3
2024	2025	2026	2027	2028	2029	2030	2031	2032	2033

ENFORCEMENT & PENALTIES

- \$3000 for failure to file in the first year
- \$5000 for each additional year until the EER is submitted to the department

The Department will not accept any outstanding EER submission unless penalties are paid in full.

LOCAL LAW 97

EMISSIONS LIMITS

Local Law 97 is an initiative to reduce greenhouse gas emissions in New York City. Under the new rules, most buildings over 25,000 square feet must meet new energy efficiency standards and comply with greenhouse gas emission limits by 2024, with stricter enforcements coming by 2030. The purpose of the new rules is to push towards a 40% decrease in city emissions by 2030 and 80% by 2050.

In late 2023, final rules for emissions limits and compliance paths were released by the DOB. There are four groups of covered buildings with distinct compliance paths:

General Covered Buildings Subject To LL 97	Many buildings subject to Local Law 97 will have to submit their first LL 97 report by May 1, 2025 for emissions tracked during the 2024 calendar year.
Rent Regulated Properties	Properties on this list need to submit their first LL 97 report by May 1, 2027 for emissions tracked during the 2026 calendar year.
Income Restricted Properties	Properties on this list need to submit their first LL 97 report by May 1, 2036 for emissions tracked during the 2035 calendar year.
Certain Affordable Housing & Houses of Worship	Properties on this list can comply by completing required items on a prescriptive list and submitting a one-time report due May 1, 2025.

While the city notes that owners should consult with experts to confirm requirements, details (including property lists for the above groups) can be found here: <https://www.nyc.gov/site/sustainablebuildings/requirements/covered-buildings.page>

Get more information on Local Law 97 compliance:

<https://www.nyc.gov/site/sustainablebuildings/requirements/compliance.page>

VIOLATIONS RECAP



2023 was a big year for violations citywide:

- Prorated OATH violation counts for the year were significantly higher than recent totals at 620,177
 - All boroughs saw increases across all issuing agencies
 - All agencies saw year-over-year increases, with the exception of the DOB
 - Sanitation violations were up 47% citywide year-over-year
- The DOB issued long-withheld violations for failure to file elevator inspections, boiler inspections, and corrections for both
 - Numerous violations were issued to devices spanning across 5 years (cycles)
- Smaller buildings (1 – 25 units) received the largest share of HPD violations citywide
 - This includes Manhattan, where there are 2.5x more units in larger properties (100+ units) than the smallest properties
- “March Madness” shows violations spike citywide across multiple agencies around March each year

These stats and many, many more are reviewed in our annual Violations Report, detailed at <https://sitecompli.com/knowledge-center/resources/sitecompli-insights-the-state-of-nyc-violations-2023/>.

Stay tuned for this year’s update with final numbers for 2023, and another look at agency trends.



**OATH
FINES
& HEARINGS**

OATH IS NYC'S OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS.

In addition to adjudicating city matters, OATH also hosts hearings for summonses issued by several different agencies. These summonses are what property owners, managers, and even tenants frequently deal with (FDNY, DOB, Sanitation, Health, and more). The ECB (Environmental Control Board) was the sole former host for these hearings and is still frequently referenced when referring to various agency summonses.

BREAKDOWN OF SUMMONSES & HEARINGS

Named Respondent	The party (person, company, or entity) responsible for attending the hearing, making corrections, and paying fines. May be a building owner, manager, tenant, vendor, or other related party.
Issuing Agency	Over 13 agencies issue violations through OATH. The issuing agency will determine if compliance is required beyond the standard fine and hearing.
Hearing Date	The day when the hearing is scheduled. If the summons is not resolved by then (via a cure, alternate hearing, or stipulation), you must attend or submit a request to reschedule.
Cure Date	For certain DOB and FDNY violations, a cure date will be offered. If a Certificate of Correction is submitted and accepted by the issuing agency before this date, you won't need to attend the hearing/pay any fines.
Stipulation	Admission of guilt in exchange for 75 additional days to correct the violation and a reduced penalty (usually half of the standard amount). Will be mailed if offered and must be accepted pre-hearing.
Mitigation	Admission of guilt coupled with proof of correction at the hearing may result in a mitigated (reduced) penalty.
Judgment	Judgment results post-hearing can include Dismissal (no penalties, though the issuing agency can appeal) and In Violation (standard penalty imposed, though you may appeal).
Default Judgment	Failing to attend the hearing will result in a significantly increased penalty and an automatic admission of guilt. Default judgments can be vacated within 75 days of the hearing date.

HOW TO HANDLE AN OATH HEARING

- 1 Hearing by Phone**
(212) 436-0777
- 2 One-click (online) hearing**
www.nyc.gov/oath
- 3 Hearing by Mail**
66 John St., 10th Floor



DON'T FORGET: OATH hearings, trials, conferences, and help center sessions are primarily remote. In-person appearances are only available upon request.

See full hearing steps & FAQs here:

<https://www.nyc.gov/site/oath/hearings/hearings-and-defaults.page>

Don't forget requirements if you're working with third party experts to resolve hearings:

<https://sitecompli.com/blog/oath-hearing-process-clarified-by-new-adopted-rules/>

OATH & COMPLIANCE

For DOB and FDNY summonses issued via OATH, it's not enough to just attend the hearing or pay fines. Compliance is required to fully close violations and avoid future issues and fines.

CORRECTIONS: A Certificate of Correction must be submitted to the issuing agency, otherwise the violation will remain open. Failure to submit a Certificate of Correction can result in additional fines, trouble obtaining new work permits or a Certificate of Occupancy, or issues during a transaction/refinance.

On the DOB's side, uncorrected Class 1 violations will result in a \$5000 fine (AEUHAZ1) issued directly to the building - not the named respondent. This means owners may be ultimately responsible for onsite violations initially incurred by tenants or vendors. Please note that AEUHAZ1 fines have increased significantly in recent years. It's a stark reminder that correcting underlying conditions are critical to resolving open violations.

SHOULD I PAY THE FINE TO AVOID A HEARING? For violations where submitted compliance isn't required (Sanitation, for example), it's possible to avoid the hearings process by paying the fine. That said, paying an OATH/ECB fine is an admission of guilt. Having a few guilty violations at a single property can impact future violations through increased fines and decreased chances of getting a dismissal. While it seems like a timesaving fix, paying the fine can oftentimes lead to bigger headaches going forward.

UNDERGOING CONSTRUCTION? BEWARE: The DOB is now monitoring unpaid arrears (including OATH/ECB fines) when issuing permits. They will issue twice the amount of standard civil penalties if your construction site has an "excessive violation" ratio compared to the rest of NYC.



FDNY

REGULATIONS

& VIOLATIONS

VIOLATIONS



NOTICES OF VIOLATION (NOVs) NOVs are associated with a fine and hearing through OATH and are sometimes labeled as “Summons,” but should not be confused with Criminal Summonses.	VIOLATION ORDERS (VOs) VOs require correction via FDNY reinspection/ document submission.
Commonly Issued For: <ul style="list-style-type: none"> ▪ Expired permits ▪ Markings and lack of signage ▪ Expired/lack of Certificate of Fitness ▪ Missed inspections 	Commonly Issued For: <ul style="list-style-type: none"> ▪ Blocked egress ▪ Occupancy over limit ▪ Fire safety plan issues ▪ Emergency action plan issues
How to Correct: If a cure date is offered (first offense), submit a Certificate of Correction to the FDNY in advance of the cure date <ul style="list-style-type: none"> ▪ If accepted, you can avoid a hearing and any potential fines (unless the hearing is required, as noted on the violation) ▪ If there is no cure date, you will need to attend the OATH hearing, pay any subsequent fines, and still submit the Certificate of Correction to the FDNY 	How to Correct: Comply with the Order within the given timeframe (forthwith/immediately - 90 days) <ul style="list-style-type: none"> ▪ File required paperwork or contact issuing inspector for re-inspection ▪ If the infractions are corrected, the inspector will dismiss the VO
Penalties: OATH-related fines for FDNY infractions can range from \$300 for mitigated penalties to \$5,000 for default penalties (and aggravated penalties are even higher). Note that there can be multiple infractions on a single NOV.	Penalties: While there are no immediate financial penalties or hearings scheduled, failure to comply with a VO in the given timeframe will result in a Criminal Summons, requiring an appearance in criminal court, plus initial fines of \$5,000 - \$10,000.
Additional Info: It’s a common misconception that showing proof at an OATH hearing will satisfy the compliance portion of an NOV - it will not. In order to fully close a NOV, a Certificate of Correction must be on file with the FDNY.	Additional Info: VOs are not associated with OATH whatsoever. As a result, VO information is provided only by the FDNY, and can be complex, cumbersome, and time consuming to obtain.

PROACTIVE FDNY INFORMATION

In order to prevent violations, it's important to know details about the kinds of equipment and certifications associated with your property.

PERMIT ACCOUNTS

The FDNY issues and monitors permit accounts (sometimes known as equipment use permits) for the use, operation, and maintenance of equipment and space, as well as regulated fire safety and prevention systems.

Permit Account Number	Main identifying component of a permit account – necessary when contacting the FDNY about a report.
Account Owner	Entity responsible for maintaining the account with the FDNY. May be building owner or tenant.
Expiration Date	May denote required inspection or annual payment date.

COMMON PERMIT ACCOUNT TYPES

- Sprinkler/Standpipe systems
- Fuel oil
- A/C refrigeration units
- Fire alarms
- Range hoods
- Place of assembly permits

CERTIFICATES OF FITNESS

FDNY Certificates of Fitness (COFs, for short) are issued to individuals who have been tested to perform specific, safety-related tasks or manage specific pieces of FDNY-related equipment.

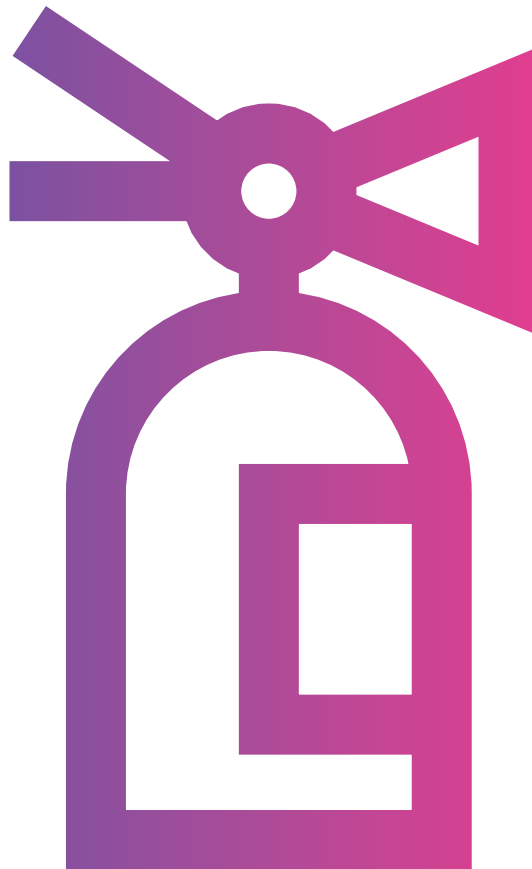
Certificates of Fitness can be building-specific (example: Fire and Life Safety Director), or citywide (example: Fire Guard for Impairment). Most COFs must be renewed periodically, and Notices of Violation can be issued for failure to have a valid COF or COF holder onsite.

FDNY INFORMATION IN YOUR SITECOMPLI OR INCHECK ACCOUNT

FDNY information can be some of the hardest to track and uncover. That said, there are a number of resources you can access right from your account:

- Building-specific Certificates of Fitness
- Available copies and supplemental pages for NOVs
- Key permit account details
- Available documentation for VOs

Ask your Customer Success Manager or support@sitecompli.com for assistance if you have any questions.



BACK-OF-DOOR FIRE SAFETY NOTICES

The Fire Safety Notice is a small (no larger than 6" x 9") sign that outlines safety instructions in case of a fire emergency. There are two city-approved versions – one for combustible buildings, and one for noncombustible buildings. These must be posted on the back of the front door of every unit in your properties.

Need to get BOD stickers for your building?

We've got you covered – order stickers here at this link:

<https://shop.sitecompli.com>

WHY IS THIS IMPORTANT?

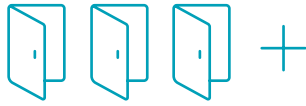
Fire Safety Notices have always been required, but the FDNY has now begun to require confirmation that the Notice is where it's supposed to be - whether by certification from a resident or by an inspection program from maintenance staff.

- The certification option allows you to mail a notice to residents that asks them to indicate if the Fire Safety Notice is present
 - Many teams choose to do this as part of their annual safety notice mailing each January
- An inspection program establishes a unit check from your staff every three years to confirm that the Fire Safety Notice is present
- Either way you choose to comply is acceptable, but you must have some program in place to prevent violations or worse



RESIDENTIAL REQUIREMENTS

HPD REGISTRATION

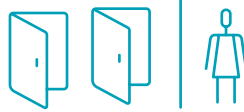


3+

Residential Units

rentals, condos, and co-ops included

OR



1 or 2

Residential Units

and neither the owner nor a family member occupies one of the units

OR



Hotels

which are considered transient multifamily dwellings

FAILURE TO REGISTER

Issues with registration?

Sign up for an appointment to speak with HPD's Registration Unit directly:

<https://hpdrau.timetap.com/#/>

Failure to register correctly or on time can lead to a number of issues. As of December 2023, properties may be issued penalties from \$500 - \$5,000, depending on their size. False registration documents can also lead to penalties between \$750 - \$5,000.

Additionally, properties may be subject to the following:

- Properties may be issued Orders or specific violations
- Properties will be ineligible to certify violations
- Properties will be unable to request a Code Violation Dismissal
- Properties will be unable to initiate a court action to recover possession of the premises for nonpayment of rent



DON'T FORGET: Failure to register will result in infractions, fines, and the inability to correct open HPD violations.

TOP THINGS HPD INSPECTORS LOOK FOR

- 1 Non-functioning or missing smoke detectors
- 2 Non-functioning or missing carbon monoxide detectors
- 3 No electricity
- 4 No gas
- 5 Double cylinder locks on exit doors
- 6 Illegal gates or bars on the windows
- 7 Debris blocking exit doors or fire escapes
- 8 Kitchen grease that constitutes a fire hazard
- 9 Window guards in a unit with a child under the age of 11
- 10 Lead paint signs in a unit with a child under the age of 6
- 11 Properly posted and maintained unit and common area signage

HEAT SEASON

October 1- May 31 of each year, HPD's Heat Season rules are in effect:

- Between 6 AM and 10 PM, if the outside temperature falls below 55 degrees, the inside temperature must be at least 68 degrees
- Between 10 PM and 6 AM, the inside temperature must be at least 62 degrees regardless of the temperature outside

DON'T FORGET: Failure to meet temperature rules can result in Class C HPD Violations and substantial penalties: \$350 - \$1,250 per day AND \$500 - \$1,500 per day for subsequent violations – an increase from previous years.

There's also a "three strikes" rule from the department:

HPD may impose an Inspection Fee of \$200 "if a third or subsequent inspection within a heat season results in a third or subsequent heat violation and if a third or subsequent inspection within a calendar year results in a third or subsequent hot water violation."

HPD PENALTY INCREASES

As of December 8, 2023, HPD has increased several penalties. You saw some already in the earlier Registration section. Here's a breakdown of what else has changed:

Civil Penalties	Violations Issued BEFORE December 8, 2023	Violations Issued ON/AFTER December 8, 2023
Class A	\$10-\$50	\$50-\$150, plus \$25/day
Class B	\$25-\$100, plus \$10/day	\$75-\$500 plus \$25-\$125/day
Class C, buildings with 5 or fewer units (except for the below detailed class C violations)	\$50 per day	\$150-\$750 plus \$50-\$150/day
Class C, buildings with more than 5 units (except for the below detailed class C violations)	\$50/150 days plus \$125 per day	\$150-\$1,200 plus \$150-\$1,200 per day
Class C, Lead-based paint hazard	\$250 per day, up to \$10,000	\$250 per day, up to \$10,000 (NO CHANGE)
Class C Heat and hot water	\$250-\$500 per day AND \$500-\$1000 per day for subsequent violations	\$350 - \$1,250 per day AND \$500 - \$1,500 per day for subsequent violations
Class C Heat and hot water - illegal device	\$25 per day or \$1000, whichever is more	\$50 per day or \$2,000, whichever is more
Class C, self-closing doors	\$250-\$500, plus \$250 per day for each day from date set for correction until correction	\$250-\$500, plus \$250 per day for each day from date set for correction until correction (NO CHANGE)

Lead-based paint recordkeeping violations also can result in civil penalties.

- Order 614, 616, or 617: \$250 per day per violation, up to a maximum of \$10,000
- Order 618: \$1,000 maximum
- Order 619: \$1,500 maximum per violation
 - **CRIMINAL PENALTY:** Misdemeanor punishable by a fine of up to \$500 or imprisonment for up to six months or both
- Order 620: \$1,000 minimum and \$5,000 maximum per violation

ALLERGEN HAZARD INSPECTIONS AND REMEDIATION

- Local Law 55 requires owners to check for indoor allergen hazards (mice, cockroaches, rats, and mold) annually
- Owners must provide a notice and DOHMH brochure informing tenants of this inspection requirement
- Owners must remediate found conditions using integrated pest management procedures and specific processes to treat underlying defects (in the case of mold)
- Certifications for any violations issued for these conditions must include affidavits stating that work practices were appropriately followed

Easy LL 55 Inspections & Related Work

See how InCheck can help:

<https://sitecompli.com/solutions/local-law-55>

ANNUAL BEDBUG REPORTING

Owners are required to submit bedbug infestation and treatment records to HPD annually. Here's what needs to be documented and shared for each property:

- The number of dwelling units
- The number of dwelling units, as reported or otherwise known to the owner, that had a bedbug infestation during the previous year
- The number of dwelling units, as reported or otherwise known to the owner, in which eradication measures were employed during the previous year for a bedbug infestation
- The number of dwelling units reported in number 3 that had a bedbug infestation after such eradication measures were employed in such units

Reports are due December 31st each year for the time period covering November of the previous year through October of the current year (e.g. November 2023 - October 2024).

In addition to submitting reports, owners are also responsible for distributing a copy of the electronic report form to each tenant during lease renewal/new lease commencement OR posting the report form in a prominent location in the building within 60 days of filing. Finally, owners must distribute or post a notice providing information about the prevention, detection, and removal of bedbugs.

LEAD PAINT REMINDERS

Some big dates for lead paint-related compliance are coming soon:

- Starting in September 2024, owners will have to provide annual notice and investigation records whenever lead-based paint hazard or turnover violations are issued
- August 9, 2025 is when all XRF tests have to be completed across all relevant units per Local Law 31
- Per Local Law 111, this now includes common areas as of June 2024
- If a child under 6 is known to reside in a relevant unit as of January 2025, friction surfaces in the unit must be abated by July 2027
- If a child under 6 comes to reside in a relevant unit after January 1, 2025, friction surfaces in the unit must be abated within 3 years of the date that the child came to reside

Get the full text of each new law here:

<https://sitecompli.com/blog/roundup-of-new-lead-based-paint-laws-hpd-resources/>

NEW – NATURAL GAS DETECTORS

Per Local Law 157, natural gas detectors are now required for every dwelling (private, Class A, and Class B), and must be installed on or before May 1, 2025.

- This requirement doesn't apply to buildings that don't have gas piping or gas service
- In private/Class A dwellings, one or more alarms must be installed before May 1, 2025
- In Class B dwellings, one of the following must happen before May 1, 2025:
 - One or more natural gas alarms must be installed in each dwelling
 - A line-operated zoned natural gas detecting system, designed in accordance with NFPA 715-2023 by a registered design professional, must be installed in all public corridors and public spaces

While sample details haven't been provided yet, notice must also be provided to dwelling occupants explaining key details about the detectors in each dwelling.

It's worth noting that we're covering this requirement in the Residential section since it's applicable to dwellings, but material for the law has been managed by the Department of Buildings. It's possible enforcement will come from the DOB, as well.

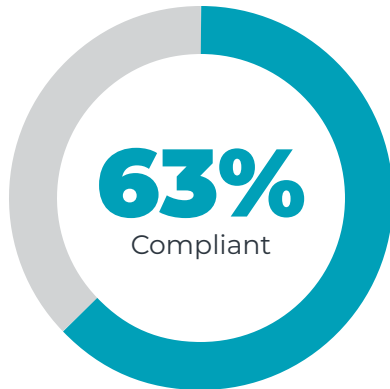
See the full details on how to install in our post:

<https://sitecompli.com/blog/local-law-157-update-required-natural-gas-detectors-in-nyc-residential-properties/>

TAKING ACTION: COMPLIANCE RESOURCES

With new rules, longtime requirements, and everything in between, you need the right tools to keep track of it all – and make sure your team is on the right track to avoid harsh penalties.

Here's just a few features teams are using to help take action & prevent fines:



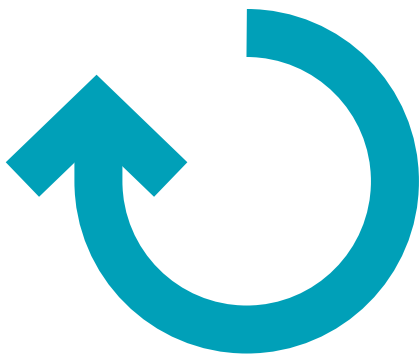
COMPLIANCE MANAGER

Track key proactive requirements with automated due dates, customizable statuses, easy document upload, and critical reminders via alerts and your synced calendar. Manage your Local Law 152 work, Local Law 31 tracking, inspections and observations, and more, all in one place.



INCHECK MOBILE APP

Easy, swipe-through screens with even more input types to help your team get context on the go & capture more details, even faster.



AUTOMATED FOLLOW-UP TASKS

Don't waste time texting, emailing, or calling in work that gets lost. InCheck automatically assigns the right followups to the right people depending on what's found onsite during inspections – automatically.



SMART STICKERS

Assign and start work just by scanning a smart sticker – for any location, asset, or unit across your portfolio.

Questions about any of the above features? Reach out to your Customer Success Manager or support@sitecompli.com - we're happy to help your team get started.

NYC Compliance Checklist 2024

2024 Key Dates

JAN	15 TH	<ul style="list-style-type: none"> Last day to distribute annual lead paint/window guard notices to residential tenants First deadline in 2024 to distribute Fire Safety Information to residential tenants (Bulletin/Guide, Checklist, etc.) Deadline to submit annual water tank inspection for 2023 calendar year 	DOHMH/HPD FDNY DOHMH
	31 ST	<ul style="list-style-type: none"> Deadline for applying for the Multiunit Building Collection Program Provide annual stove knob cover notices. This is a suggested date based on the start of the law & the timing of annual safety notice mailings 	DSNY HPD
FEB	15 TH	<ul style="list-style-type: none"> Legal deadline for new, renewal, and change requests for the 2024–25 Co-op/Condo abatement (closes on the 16th) 	DOF
	16 TH	<ul style="list-style-type: none"> Landlords must begin to make reasonable attempts to acquire lead paint/window guard information for non-responsive residents as part of the annual safety notice mailings process 	DOHMH/HPD
	21 ST	<ul style="list-style-type: none"> FISP Sub-Cycle 9C ends (Blocks 1, 2, 3) 	DOB
MAR	1 ST	<ul style="list-style-type: none"> Notify DOHMH of all non-responsive tenants and attempts to acquire information as part of annual safety notice mailings process Deadline to appeal Assessment to Tax Commission for Class 2, 3, and 4 properties 	DOHMH/HPD DOF
	15 TH	<ul style="list-style-type: none"> Deadline for property owner personal exemptions (STAR, DHE, Veterans, Clergy, SCHE, among others) Deadline to appeal Assessment to Tax Commission for Class 1 properties 	DOF DOF
APR	1 ST	<ul style="list-style-type: none"> DHCR Registration begins in ARRO system (ends Jul 31st) 	DHCR
MAY	1 ST	<ul style="list-style-type: none"> Local Law 84 Benchmarking Report due for 2023 data (covered buildings 25K square feet and up) 	DOB
	31 ST	<ul style="list-style-type: none"> Last day of Heat Season for 2023-24 	HPD
AUG	1 ST	<ul style="list-style-type: none"> Early annual observation due for parking structures in Subcycles B and C (Manhattan CDs 8 and up; all other boroughs) 	DOB
SEP	1 ST	<ul style="list-style-type: none"> Deadline for annual HPD registration. Required for multifamily residences (3+ units), designated residences, and hotels 	HPD
OCT	1 ST	<ul style="list-style-type: none"> 2024 - 25 Heat Season begins 	HPD
		<ul style="list-style-type: none"> New Building Energy Efficiency Label available - replace existing label with latest score before Oct 31st 	DOB
NOV	1 ST	<ul style="list-style-type: none"> Deadline for annual cooling tower certification 	DOB
DEC	31 ST	<ul style="list-style-type: none"> Final day to electronically file annual bedbug report for 11/1/23 - 10/31/24 	HPD
		<ul style="list-style-type: none"> Last day to file periodic elevator inspections, CATIs, and boiler inspections for 2024 cycle via DOB NOW: Safety 	DOB
		<ul style="list-style-type: none"> Last day for annual lead paint inspections (LL 1) and allergen hazard inspections (LL 55) 	HPD
		<ul style="list-style-type: none"> Last day to submit Local Law 87 EER for buildings due in 2024 (covered buildings list – 50K sq. Ft – with a last digit of “4” as the building’s tax block number) 	DOB
		<ul style="list-style-type: none"> Last day to submit gas piping system inspections or submit certifications for Subcycle A (Community Districts 1, 3, and 10 in all boroughs) 	DOB
		<ul style="list-style-type: none"> First annual parapet observation must be performed (no filing required) 	DOB
		<ul style="list-style-type: none"> Annual observations (not full inspections) due for all other parking structures (Manhattan CDs 1 - 7) 	DOB

For ongoing updates or changes to 2024 due dates, bookmark our blog post here:
<https://sitecompli.com/blog/compliance-checklist-24>

WHERE CAN I SUBMIT?

Below are helpful links to ensure your team can access DOB NOW, and other critical agency portals and correcting violations.

DOB NOW: SAFETY

For elevator, boiler, energy compliance, façade, and parking structure filings, and select DOB

- <https://www.nyc.gov/site/buildings/industry/dob-now-safety.page>

BENCHMARKING COMPLIANCE INSTRUCTIONS

Including link to Energy Star website for data review and submission

- <https://www.nyc.gov/site/buildings/codes/compliance-instructions.page>

HPD ECERTIFICATION

For correcting HPD violations and HQS failures

- <https://webapps.hpdnyc.org/eSignature/Login.aspx>

HPD REGISTRATION

PROS (partially online, partially via mail)

- <https://a806-pros.nyc.gov/PROS/mdRInternet.html>

NYC CITYPAY

To pay fines on OATH-related violations

- <https://a836-citypay.nyc.gov/citypay/ecb>

Don't forget - for DOB and FDNY violations issued via OATH, you'll need to submit a

- Via DOB NOW for DOB-OATH violations, see how here:
https://www.nyc.gov/assets/buildings/pdf/cofc_user_guide.pdf
- Via FDNY Business for FDNY-OATH violations, see how here:
<https://www.nyc.gov/assets/fdny/downloads/pdf/business/submit-ccr.pdf>

THE BEST COMPLIANCE DEFENSE IS A GOOD OFFENSE.

STAY INFORMED

GET INSIGHTS

TAKE ACTION – ONLY WITH SITECOMPLI

GET COMPLIANCE INSIGHTS YEAR-ROUND

Stay up-to-date on the latest compliance changes. Access compliance expertise on-demand using SiteCompli's ongoing resources:

THE SITECOMPLI BLOG:

<https://sitecompli.com/blog/#subscribenow/>

THE SITECOMPLI KNOWLEDGE CENTER:

<https://sitecompli.com/knowledge-center/>

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🔗 support.sitecompli.com

💬 In-app live chat available 9-5, M-F



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