



Housing Preservation & Development

Indoor Allergen Hazards

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Indoor Allergen Hazards

Allergens are substances in the environment that make indoor air quality worse. They can cause asthma attacks or make asthma symptoms worse. Common indoor allergens, or triggers, include mold, mice and rats, and cockroaches. Leaks that can cause mold, and cracks that allow pests to enter can lead to allergen exposure, so properly repairing these conditions as soon as they are observed is the best preventative action for tenants and property owners. Maintaining garbage in secure containers is also critical to reducing pest problems.

Indoor Allergen Hazards Law

In New York City, [Local Law 55 of 2018](#) requires that owners of buildings with three or more apartments keep their tenants' apartments free of mold and pests. This includes safely fixing the conditions that cause these problems.

For a general overview of what property owners must do and what every tenant should know, see the [What Tenants and Landlords Should Know About Indoor Allergens and Local Law 55](#) fact sheet.

Languages:

- [Lo que los inquilinos deben saber sobre la presencia de alérgenos en interiores](#)
- [실내 알레르기 관련 세입자 유의사항](#)
- [ما الذي يجب على المستأجرين معرفته حول مسببات الحساسية في الأماكن المغلقة](#)
- [室內過敏原承租人須知](#)
- [室內過敏原租戶須知](#)
- [Sa Lokatè yo dwe Konnen sou Alèjèn Andedan Kay](#)
- [Что нужно знать арендаторам жилья о бытовых аллергиях](#)

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Tenant Responsibilities

If you observe a leak, signs of mold growth, or the presence of pests, notify your landlord. If your landlord does not fix the hazard, or if repair work is not being done safely [file a complaint online](#) or call 311.

If you are a tenant and your or your child has asthma, and there are pests or mold in your home, your doctor can request a free home environmental inspection for you through the New York City Health Department's Online Registry. Talk to your doctor or call 311 to learn more.

Tenants also play a role in preventing indoor allergens. Tenants should:

- Keep homes clean and dry.
- Place food in sealed containers, keep counters and sinks clean, and get rid of clutter such as newspapers and paper bags.
- Use garbage cans with tight-fitting lids.
- Take garbage and recycling out every day, and tie up garbage bags before removing them from your apartment.
- Avoid using pesticides and chemicals with strong smells.

The following audio clips provide instruction on keeping your home clean, green, and healthy.

- [Healthy Homes](#)
Learn about the environmental conditions in your home that may impact your health. Learn the hazards and how to clean them safely.
- [Household Chemical Safety](#)
Find out the potential dangers of the chemicals in your household cleaning products and how to use them safely.
- [Greening Your Home](#)
Learn how to replace commercial household cleaning products with greener alternatives.

Owner Requirements

Owners of residential buildings with three or more units are required by [Local Law 55 of 2018](#) to:

- **Annually inspect units for indoor allergen hazards** such as mice, cockroaches, rats and mold, and respond to any complaints received directly from tenants or HPD.
 - [Sample Investigative Report](#)
- Make sure vacant apartments are **thoroughly cleaned and free of pests and mold** before a new tenant moves in.
- **Provide the [What Tenants and Landlords Should Know About Indoor Allergens and Local Law 55](#) fact sheet and a [Notice](#) with each tenant's lease** that clearly states the property owner's responsibilities to keep the building free of indoor allergens.
- **Remediate pest infestation.** Use Integrated Pest Management (IPM) to address pest infestations. The safe work practices in Section 27-2017.9 of Local Law 55 and 28 Rules

of the City of New York section 54-04 must be followed when assessing and correcting any underlying defects (such as moisture) that may have caused the infestation. IPMs requires:

- Removal of pest nests and thorough cleaning of pest waste and other debris by using a HEPA vacuum, washing surfaces, or otherwise collecting and discarding such debris. Make sure to limit the spread of dust when cleaning.
- Elimination of points of entry and passage for pests by repairing and sealing any holes, gaps or cracks in walls, ceilings, floors, molding, base boards, around pipes and conduits, and around and within cabinets by using sealants, plaster, cement, wood, escutcheon plates, or other durable material.
- Removal of all sources of water for pests by repairing drains, faucets, and other plumbing materials that accumulate water or leak.
- Attachment of door sweeps to all doors that lead to hallways, basements, or outside.
- Use pesticides sparingly. Pursuant to Administration Code section 27-2017.8 of Local Law 55, any pesticide applied to eradicate the presence of pests must be applied by a pest professional licensed by the New York State Department of Environmental Conservation (DEC).
- **Remediate mold conditions.** Owners of residential properties with 10 or more units are required to hire a [New York State Department of Labor-licensed mold assessor and remediator](#) (these two contractors must be completely independent of each other) to assess and remediate conditions whenever there is more than 10 square feet of mold. To find a licensed mold contractor in your area, use the NYS Department of Labor's [Licensed Mold Contractors Search Tool](#). These licensed workers must comply with New York City Administrative Code section 24-154 and New York State Labor Law Article 32. Additional information and a portal for the contractors to file required documentation under [Local Law 61 of 2018](#) with the NYC Department of Environmental Protection (DEP) can be found on DEP's [Air Pollution web page](#). Copies of these filing receipts are required to be provided to the owner by the contractors after filing, and HPD requires copies of these same documents to be filed with a Certification of Correction for Class B and Class C mold violations issued in buildings with 10 or more units.

For owners who are not required to use professionals as outlined above, whether the removal is completed by a mold remediator or the owner/owner's representative, safe work practices are required for mold removal. These practices include:

- Removing any standing water, and fix leaks or moisture conditions.
- Isolating the work area with plastic sheeting and covering egress pathways.
- Limiting the spread of dust. Use methods such as sealing off openings (e.g. doorways, ventilation ducts) and gently misting the molding area with soap and water before cleaning.
- Cleaning mold with soap or detergent and water. Dry the cleaned area completely.
- Removing and discarding materials that cannot be cleaned properly.
- Throwing away all cleaning-related waste in heavy-duty plastic bags.
- Cleaning any visible dust from the work area with wet mops or HEPA vacuums.
- Leaving the work area dry and visibly free from mold, dust, and debris.

Learn how to identify the causes and address the conditions for mold, and landlord responsibilities in this podcast.

- [English](#) | [Français](#) | [Polski](#) | [Русский](#) | [Haitian Creole](#) | [普通话版](#) | [广东话版](#) | [Español](#)

HPD Requirements

HPD is required to:

- Conduct inspections in a timely manner for mold and pest complaints.
- During every apartment inspection, ask whether there is mold, mice, roaches, or rats, and issue violations as appropriate.
- Reinspect all Class B violations if the violation has not been certified as corrected by the owner.
- Notify both owners and tenants about the issuance of mold, mice, roaches, or rat violations.

Violations

Violation Class	Area of Mold Presence	Pest Presence	Days to Correct Violation
Class A	<ul style="list-style-type: none"> • less than 10 square feet in a room within a dwelling unit • Less than 30 square feet or 50 square feet in the aggregate in any one level or a hallway or common area 	-	90
Class B	<ul style="list-style-type: none"> • 10 to 29 square feet in a room within a dwelling unit • Equal to or greater than 30 square feet or 50 square feet in the aggregate in any one level or a hallway or common area 	All other pests besides mice, rats, or cockroaches	30
Class C	Equal to or greater than 30 square feet in a room within a dwelling unit	Mice, rats, or cockroaches in any dwelling unit or common area	21

Correction and Certification

Property owners are required to correct violations within a specified time frame (see chart above). The dates for Correction and Certification of Correction for violations can be found on the Notice of Violation or through [eCertification](#). The date of Correction can also be found on [HPDONLINE](#).

In accordance with Local Law 55, violations will be upgraded as follows.

Class A violations will be upgraded to a Class B violation, if:

- The mold hazard has not been certified as corrected within the certification time period and HPD has re-inspected the violation within 70 days of the certification period and the condition still exists.
- The Class A violation is falsely certified.

Class B violation will be upgraded to a Class C violation, if:

- The mold hazard has not been certified as corrected within the certification time period and HPD has re-inspected the violation within 70 days of the certification period and the condition still exists.
- The Class B violation is falsely certified.

Only an owner, managing agent, officer of the corporation that owns the property, or party otherwise responsible for the property listed on the property registration may certify correction of the violation.

How to Certify

Complete the appropriate Certification of Correction Form below and attach the [applicable documents](#):

- Mold Certification of Correction Forms:
 - [10 Units or More \(Class B or Class C Violations\)](#)
 - [Affidavit of Mold Remediation](#) (to be completed by the mold remediator and provided to you)
 - [Affidavit of Mold Assessment](#) (to be completed by the mold assessor and provided to you)
 - Contractors must each provide you with a copy of their NYS licenses as well as copies of their receipts for their job filings with DEP
 - [Under 10 Units \(all Class Violations\) or 10 Units or More \(Class A Violation\)](#)
- [Pests Certification of Correction Form](#)

Post-Certification Violation Removal

Two conditions must be met to allow the removal of a mold violation issued after March 31, 2018 by HPD or a pest violation issued after January 19, 2019.

1. An HPD inspection has visually determined that the violation was addressed.
 - o If there has not already been such an inspection, you must file for a [Dismissal Request](#) and pay the appropriate fee for the reinspection. If HPDONLINE indicates that the violation is in DEFECT status, then the inspection has already been completed and HPD has verified that the condition was corrected.
2. The appropriate affidavit(s) and required documents related to each violation, including an Affidavit indicating how the work was performed, must be submitted (with the Dismissal Request application, if that is required; if the Dismissal Request is not required, you can submit the Affidavit properly completed, by itself to the [Borough Office](#) for the borough in which the building is located).

Below are the required Affidavits and, for mold, specific instructions about which affidavit is required based on the date of the violation issuance, the size of the building and the class of the violation.

- Mold Affidavit of Correction Forms (please read these [instructions](#) carefully):
 - o [Mold Affidavit of Compliance \(AF-9\)](#) (Mold violations issued to any residential building with three or more units between March 31, 2018 and January 18, 2019)
 - o [Mold Affidavit of Compliance \(AF-8\)](#) (Mold violations issued to any residential building with 10 or more units (class "B" or "C") on or after January 19, 2019)
 - o [Mold Affidavit of Compliance \(AF-7\)](#) (Mold violations issued to any residential building with 10 or more units (class "A" only) or 10 or fewer units on or after January 19, 2019)
- [Pests Affidavit of Correction Form \(AF-6\)](#)

Education

Pest and Mold Webinars

- [March 2020 - An Owners' Guide to Indoor Allergen Laws \(webinar recording\)](#)
[Indoor Allergen Hazards Presentation \(PDF\)](#)

Additional Resources

Local Laws

- [Local Law 55 of 2018](#)
- Guide to Local Law 55 of 2018 Indoor Mold Hazard Work Practices
 - o [10 Units or More \(Class B or Class C Violations\)](#)
 - o [Under 10 Units \(all Class Violations\) or 10 Units or More \(Class A Violation\)](#)
- [Guide to Local Law 55 of 2018 Integrated Pest Management Practices for Mice, Roach, and Rat Violations](#)

More Information

- [Indoor Allergen Hazards Presentation](#)

- [Mold information from DOHMH](#)