



NEW YORK CITY COMPTROLLER
BRAD LANDER

Turn Up the Heat: 2025 Update

Strengthening Enforcement of NYC's Heat Laws

March 2025

Executive Summary

Every winter thousands of tenants in New York City struggle to ensure their landlord provides adequate heat in their homes, leaving them with no reprieve during frigid nights. Living with no heat can be highly destabilizing – impacting a tenant's health, quality of life, and even leading to death. Growing evidence shows that living with prolonged temperatures can increase cardiovascular health risks and mental health risks from the physical discomfort and instability. This is especially true for children, seniors, and tenants with pre-existing health conditions.¹

New York City’s “Heat Season” as defined in the City’s administrative code falls between October 1 and May 31, when landlords are required to provide a minimum indoor temperature of at least 68 degrees during the day and 62 degrees at night.² When a landlord fails to provide adequate heat, tenants can call 311 to initiate enforcement from the New York City Department of Housing Preservation and Development (HPD). However, tenants often face challenges getting the issue definitively resolved and the heat restored.

The New York City Comptroller’s Office first published an analysis of heat code enforcement in 2023 following the tragic fire at the Twin Parks development in the Bronx in January 2022. Faced with cold indoor temperatures, tenants at Twin Parks resorted to using dangerous space heaters that sparked the blaze, ultimately killing 17 New Yorkers. Since the Comptroller’s January 2023 report was issued, there have been approximately 50 fires caused by space heaters between 2022-2024.³

Despite the City’s multiple enforcement tools, thousands of tenants continue to live with long-standing inadequate heat issues. Since the 2023 report, 311 calls regarding a lack of heat increased by 17% and continue to disproportionately impact low-income communities of color. This report provides an updated analysis on the efficacy of HPD programs – finding that HPD’s interventions generally continue to be effective at reducing heat complaints during the following heat season. Where heat complaints persist into the following year, however, HPD is failing to adequately escalate its enforcement interventions.

Most alarmingly, this report confirms that a subset of buildings continues to have heat issues year-after-year. The Comptroller’s 2023 report found that there are 1,283 buildings in New York City in which tenants complained of lack of heat more than five times each heat season between 2017 and 2021.¹ Since then, approximately 70%, or 901 of those 1,283 buildings, remain on the list. This indicates that over seven years, tenants in these 901 buildings have continued to live without adequate heat. Twenty percent of those buildings have had no intervention from HPD for the entire seven-year period from 2017-2024.

While HPD has taken some critical steps to improve its heat code enforcement system, the stubborn number of buildings with persistent heat challenges indicates that the agency must adopt new strategies to escalate against recalcitrant property owners. HPD must immediately escalate its approaches to code enforcement against the small subset of chronically underheated buildings, including the transfer of building ownership away from the bad actors that disregard tenant health and safety, and into the hands of responsible property owners.

¹ In the original analysis, 1,077 buildings were identified. This figure has been updated to maintain a consistent methodology; HPD merged its Code Complaints and Problems datasets in the time since the prior publication.

Key Findings

The initial [Turn Up the Heat](#) report published in 2023 analyzed heat and hot water complaints, violations, and interventions between 2017-2021 heat seasons. This report's findings compare the 2017-2021 heat seasons with more recent data from the 2022-2024 heat seasons as well as trends over the seven-year period:

- During the 2022, 2023 and 2024 heat seasons, tenants made an average of 203,920 heat code complaints per year, which is a 17.3% average annual increase from the 2017-2021 heat seasons.
- Of the 1,283 buildings where heat issues were severe and consistent over five years between 2017-2021, 70% of those buildings continue to have severe heat issues, indicating there are 901 buildings across the city that have had persistently inadequate heat for seven years.
- Of the 901 buildings that remain on the list of persistent heat offenders, 20% did not have any violations recorded against them or any other enforcement action from HPD for seven years between 2017-2024.
- Heat complaints and violations continue to be concentrated in communities of color. In the past two years, the five community districts with the highest volume of 311 complaints relating to a lack of heat are 90% people of color. Similarly, the districts with the most heat-related violations have 89% residents of color.
- Only approximately 3% of all heat-related complaints between 2017-2024 led to HPD inspectors issuing violations. The number has grown slightly in the most recent heat seasons to a peak of 4.5% of complaints becoming violations in the 2023 heat season.
- The City's active strategies for addressing heat complaints continue to be generally effective when deployed. However, the rationale for when escalated interventions are deployed following the issuance of a violation remains unclear.
 - Violations in a building correlated to a 62% decrease in heat complaints the following heat season, a 22% improvement since 2017-2021.
 - Litigation correlated to a 63% average drop in heat complaints the following heat season, a 25% improvement since 2017-2021.
 - The Emergency Repair Program (ERP) correlated with a 58% drop in heat complaints the following heat season, an 27% improvement since 2017-2021.
 - The Heat Sensor Program (HSP) led to a 46% decline in heat complaints the year after the program's activation, which is 17% less effective than the prior 5 years,

likely be due to implementation challenges with landlord compliance, which have since been addressed through City Council amendments to the program.²

Prior Recommendations

The 2023 report outlines a series of recommendations for improving the code enforcement regime. For more detail on those recommendations, please see the first edition of the [Turn Up the Heat](#) report. The recommendations that remain to be implemented include:

- Using data and technology to inform and prioritize inspections with a focus on buildings with persistent heat complaints
- Conducting comprehensive site inspections and identifying landlords' willingness to comply
- Expanding proactive code enforcement and targeted escalation
- Expanding tenants' rights and education

The following new recommendations focus on ways to address the needs of tenants living in buildings with the most chronic and severe heat issues.

Additional Recommendations

The following new recommendations focus on ways to escalate enforcement and immediately address the needs of tenants living in buildings with the most chronic and severe heat issues by getting these buildings out of the hands of neglectful owners:

- Expand the use of the 7A Program to appoint administrators to operate buildings where conditions are dangerous to a tenants' life and safety.
- Immediately relaunch the Neighborhood Pillars program to enable non-profits to acquire and rehabilitate buildings with chronic and persistent heat issues.
- Pass Intro 1063-2024 of the Housing Rescue and Resident Protection Act (HRRPA) to create a new pathway for the City to pursue foreclosure to address issues in physically and financially distressed properties while protecting tenants in place.

Analysis of Heat Code Complaints

To initiate enforcement, tenants call 311 to document issues relating to lack of heat. That complaint is routed to HPD and the owner receives an automated call instructing them to restore

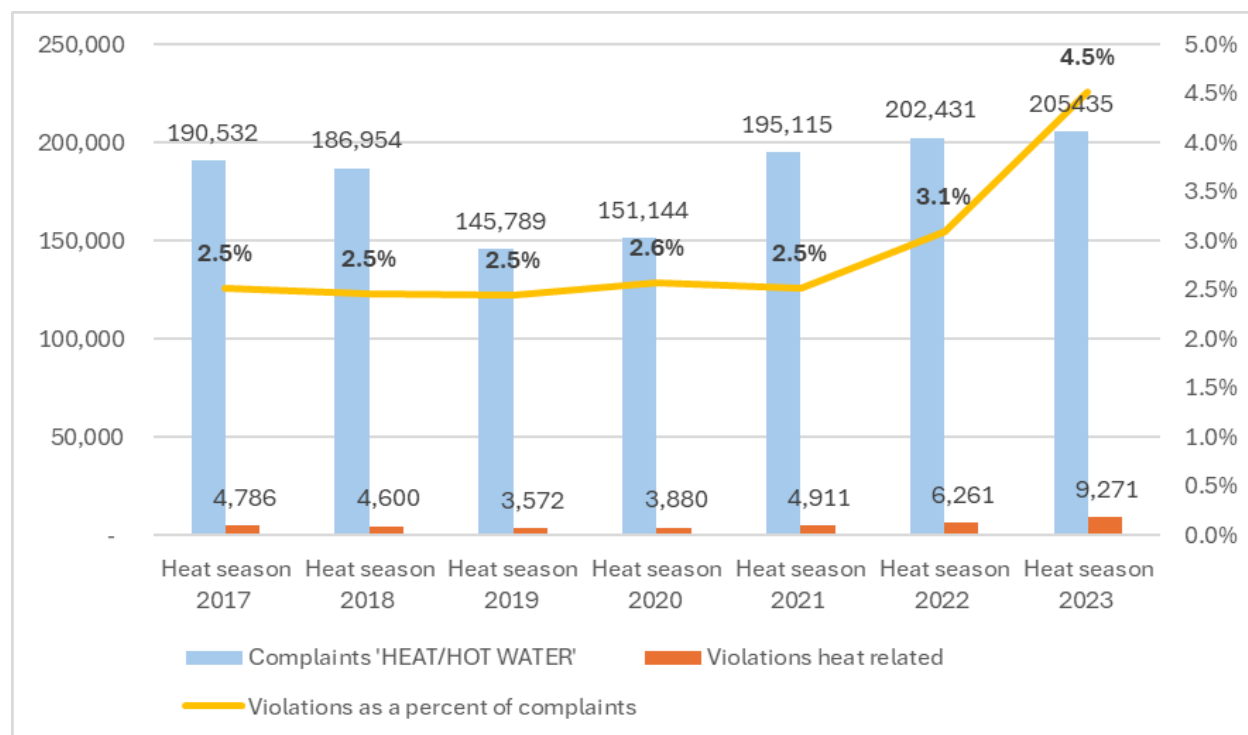
² The Heat Sensor Program's expansion went into effect in July 2024. This analysis does not include the heat season between October 2024 – May 2025, so the efficacy of the expansion has not yet been measured.

heat. HPD then calls the tenant who submitted the complaint to assess whether service was restored. If the heat is back on, the complaint is closed. If heat was not restored or if the tenant cannot be reached, HPD sends an inspector to the building to investigate. If an inspector gains access to the building and determines the temperature is below the legal minimum, the inspector will issue a violation. The penalty for failure to provide adequate heat is a “Class C” immediately hazardous violation that must be corrected within 24 hours.

Increase in Heat and Hot Water Complaints and Violations

The average number of 311 complaints from tenants in privately-owned buildings relating to a lack of heat have increased 17% between the 2017-2021 heat seasons and the 2022-2024 heat seasons. While complaint trends generally declined between 2017-2021 with an average of 162,908 complaints per year, the heat seasons of 2022-2024 saw a significant increase with an average of 203,920 annual complaints.

Heat and Hot Water Complaints and Violations 2017-2023



Source: HPD Housing Maintenance Code Complaints and Problems, HPD Housing Maintenance Code Violations

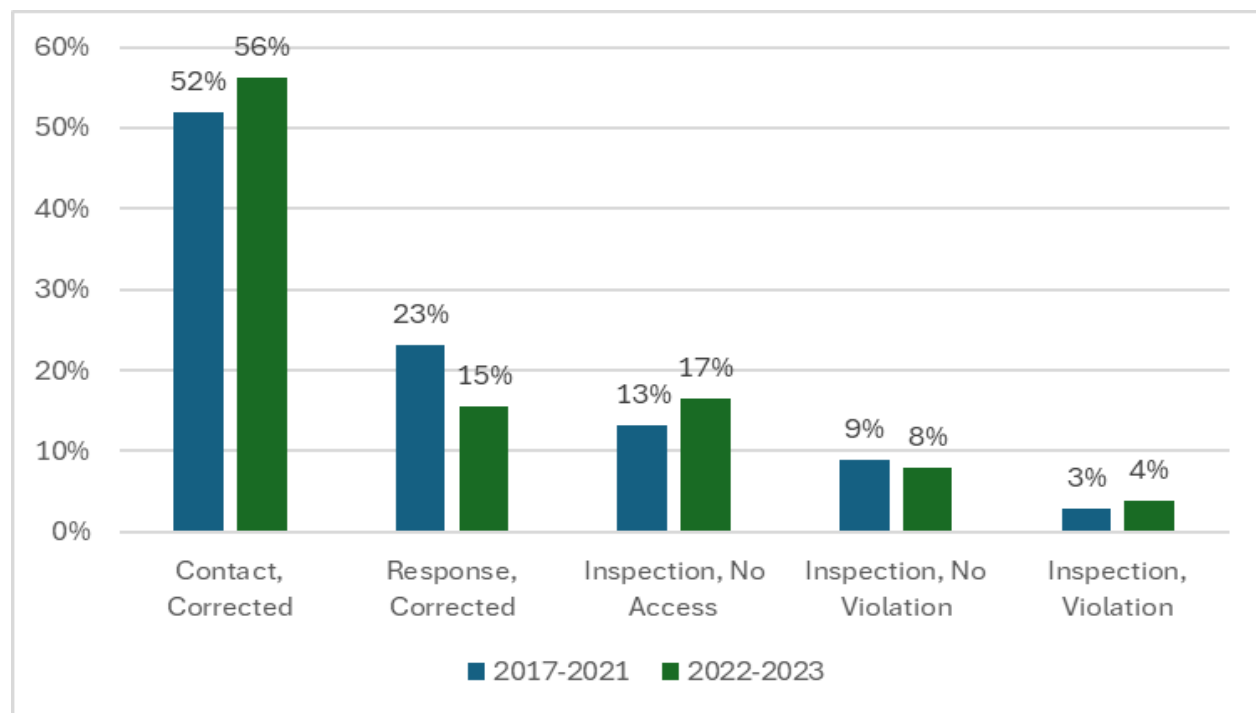
This 17% average annual increase in complaints over the two examined periods could be attributed to a few potential factors. The City may have increased their outreach to ensure that tenants are aware of their right to a minimum indoor temperature during the heat season or prior winters may have been milder. However, it is also possible that there is an uptick in cases where property owners are not providing heat, leading more tenants to call 311.

Not all heat issues result in a violation being issued. Over half of heat-related complaints are resolved after a tenant calls 311 indicating that the heat was restored and the code enforcement system was effective. Once the complaint is made, the property owner receives an automated call instructing them to rectify the issue. HPD staff will then attempt to contact the complainant to assess whether the heat was restored. In 56% of cases, the complainant confirmed that the heat was restored when HPD made contact. In another 15% of cases, complaints between 2022-2024 were closed when an inspector was “advised by a tenant in the building” that heat was restored. HPD’s data is not clear on whether the agency obtained this information over the phone or during a physical inspection.

In some cases, a complaint is closed because the inspector is unable to gain access into the building or unit. In these cases, the complaint is closed with no follow up unless a tenant registers another complaint. The percentage of cases that have been closed due to a lack of access has increased 4% from the prior five years from 13% to 17%. This is often frustrating for tenants who struggle to coordinate with HPD inspectors on a date and time when the tenant will be home to provide access to the inspector.

Overall, the results of 311 complaint violations show that in a majority of cases, heat was restored before the deployment of an inspector. However, as this analysis will show, there is a significant subset of buildings where no matter how many complaints tenant file or how many violations are issued, the lack of heat remains a chronic problem every winter.

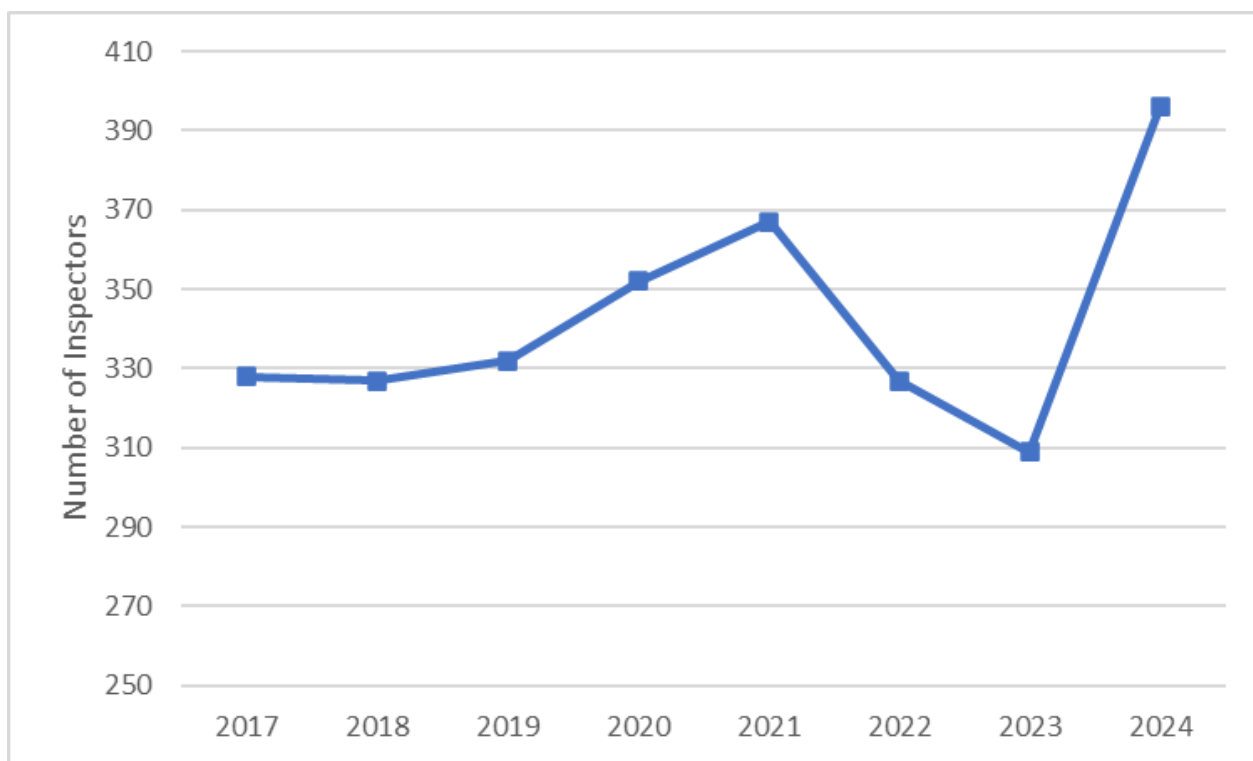
Result of 311 Complaints



Source: HPD Housing Maintenance Code Complaints and Problems, HPD Housing Maintenance

The conversion rate of complaints to violations remains low but is rising. Over the past seven years from 2017-2024, an average of about 3% of complaints resulted in a violation being issued. The conversion rate of complaints to violations increased modestly to 4.5% in the 2023 heat season with 9,217 violations issued for 205,435 complaints. The modest increase in conversions from complaints to violations is likely a result of increased capacity at HPD. In the aftermath of the COVID-19 pandemic, the agency lost many staff, and due to City Hall rules was not able to rehire for every position.⁴ Between 2021 and 2023, HPD lost nearly 60 Housing inspectors – reaching a seven-year low in 2023 during which time there were only 309 inspectors on staff to respond to the hundreds of daily complaints across the city. Following months of advocacy from organizations and the New York City Council, HPD was able to turn a corner on staffing and hire up. The number of inspectors increased to a new high of 396 by 2024, likely enabling the conversion rate of complaints to violations to increase more sharply than in the prior six years.

HPD Inspectors from Fiscal Years 2017-2024



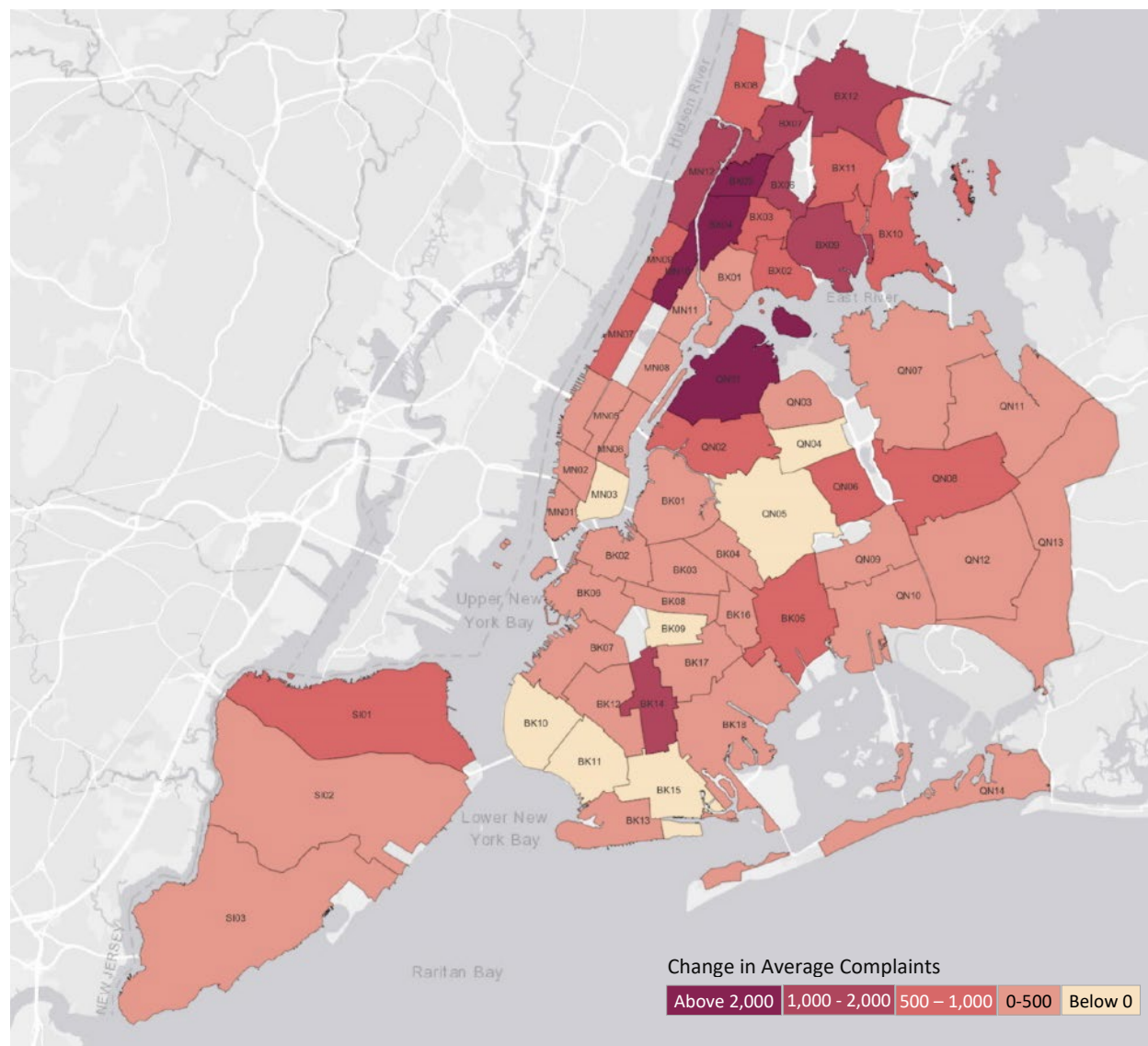
Source: HPD Open Market Order (OMO) Charges, HPD Handyman Work Order (HWO) Charges

Heat Issues Disproportionately Impact Low-Income Communities of Color

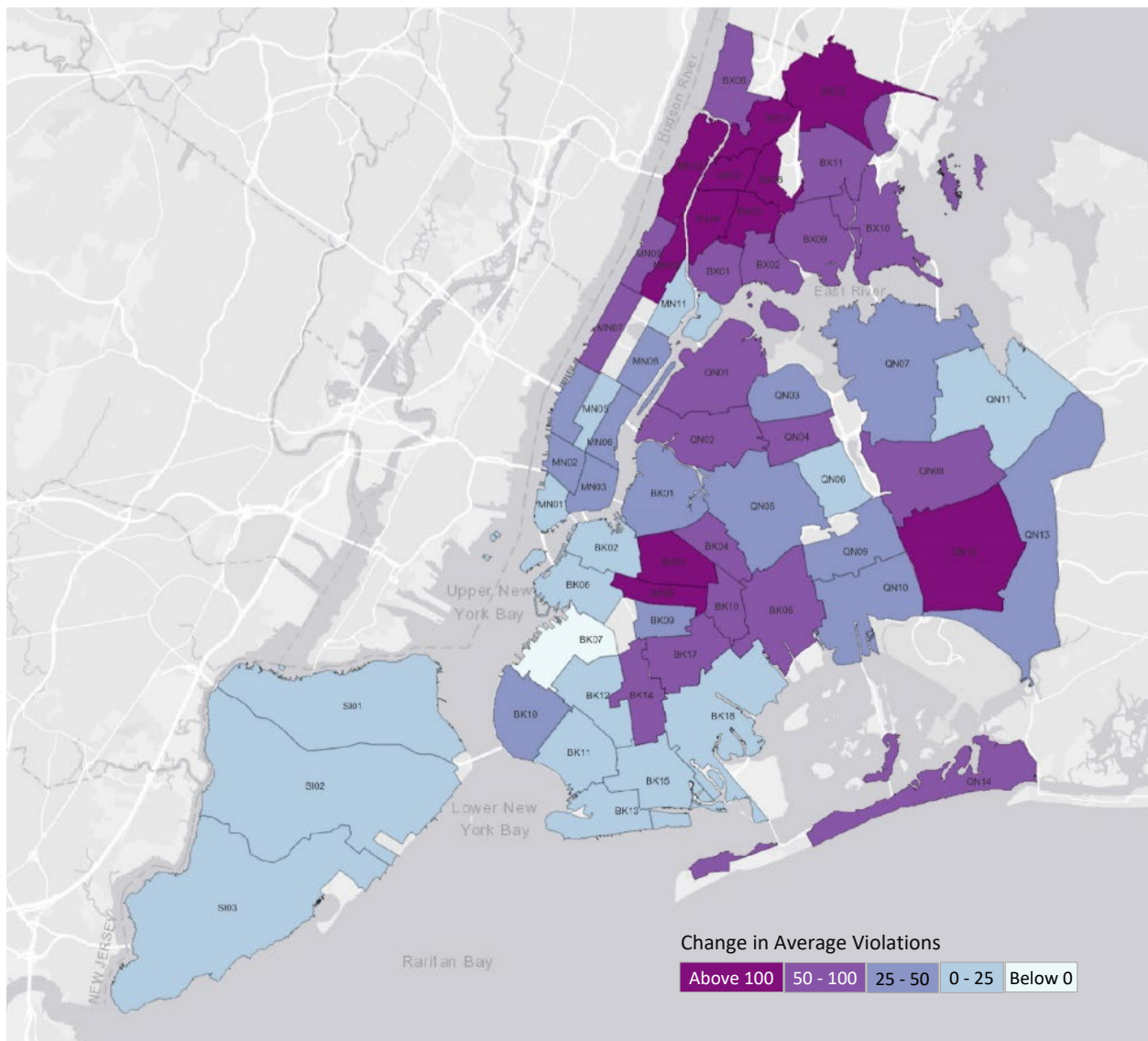
A lack of indoor heat disproportionately impacts neighborhoods where residents are majority people of color. Heat code complaints and violations continue to be concentrated in neighborhoods in Northwest and South Bronx, Central Brooklyn, and Northern Manhattan. In the

past two heat seasons, the complaints and violations have become especially more concentrated across the Bronx and Northern Manhattan.

Average Heat and Hot Water Complaints, 2017-2021 vs 2022-2024 Heat Seasons

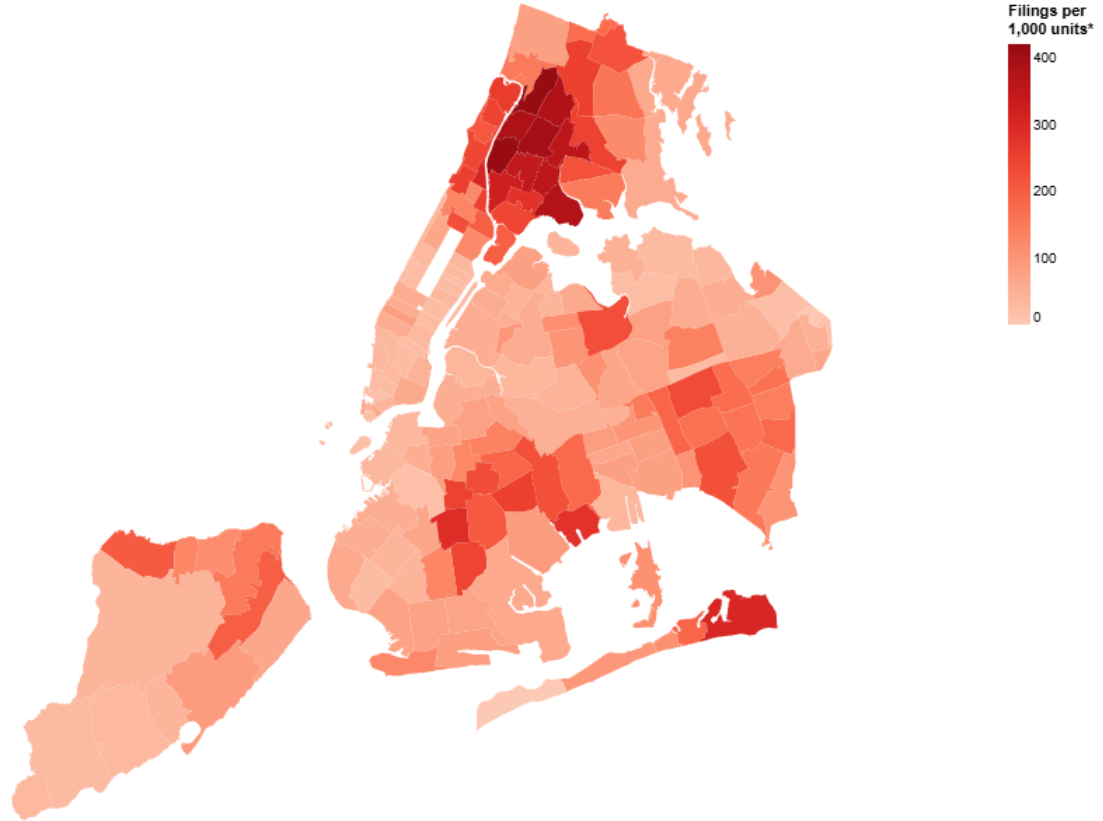


Average Heat and Hot Water Violations, 2017-2021 vs 2022-2024 Heat Seasons



These trends overlap with the other alarming housing trends across the city. Eviction rates have been rapidly growing following the COVID-19 pandemic. Since the expiration of the eviction moratorium on January 15, 2022, marshals executed over 25,000 residential evictions.⁵ The vast majority of those evictions were in the South and Northwest Bronx, Upper Manhattan, and eastern Brooklyn. This overlap between distressed buildings and evictions highlights the alarming tactics of some property owners who decrease services, while increasing rents or evictions to drive speculation. Stronger code enforcement helps tenants fight for better housing standards to help them stay in their homes and ensure their rents are reinvested into the building.

New York City Residential Eviction Filings By Zip Code March 2020 - Present



Source: www.righttocounselnyc.org

Effectiveness of Interventions

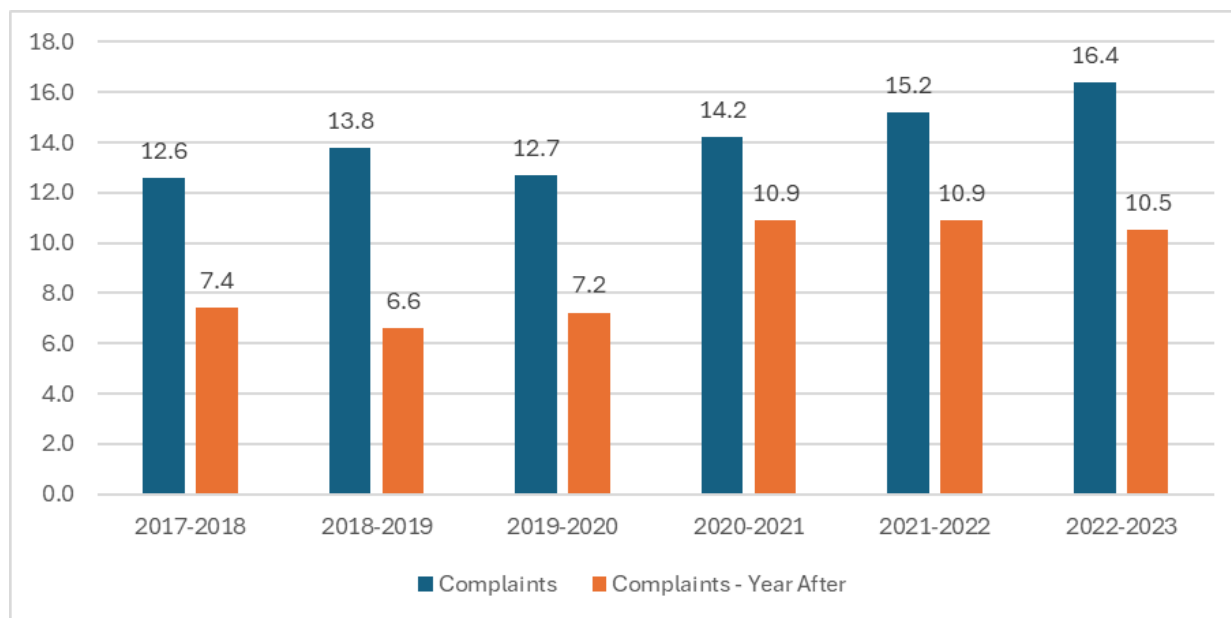
The first edition of this report analyzed the effectiveness of interventions that HPD can use for heat code violations between the 2017-2021 heat seasons. Those interventions include issuing violations, litigation, the Emergency Repair Program, and the Heat Sensor program. This report provides an update on their efficacy for the years 2022-2024 through the same methodology of comparing the number of complaints after an intervention.

Indicator	2017-2021 Heat Seasons	2022-2024 Heat Seasons	Percent Change
Impact of violations on heat complaints the following heat season	40% average decrease in heat complaints	62% average decrease in heat complaints	22% more effective in decreasing heat complaints
Impact of litigation on heat complaints the following heat season	39% average decrease in heat complaints	63% average decrease in heat complaints	25% more effective in decreasing heat complaints
Impact of Emergency Repair Program on heat complaints the following heat season	31% average decrease in heat complaints	58% average decrease in heat complaints	27% more effective in decreasing heat complaints
Impact of the Heat Sensor Program on heat complaints the following heat season	63% average decrease in heat complaints	46% average decrease in heat complaints	17% less effective in decreasing heat complaints

Violations

Our 2017-2021 analysis found that violations are an effective intervention leading to an average 40% drop in heat-related complaints the following heat season. The 2022-2024 analysis saw an average 62% drop in heat complaints when a violation was issued the year before. However, as previously noted, conversion rates from complaints to violations remain low. While sometimes this is because complaints were effective in getting heat restored without a violation, this conversion rate may also reflect the challenges tenants face in successfully getting violations recorded — whether due to HPD inspector capacity, access issues, or landlords temporarily raising the heat until the completion of the inspection.

Reduction in 311 Complaints One Year After a Violation Was Issued



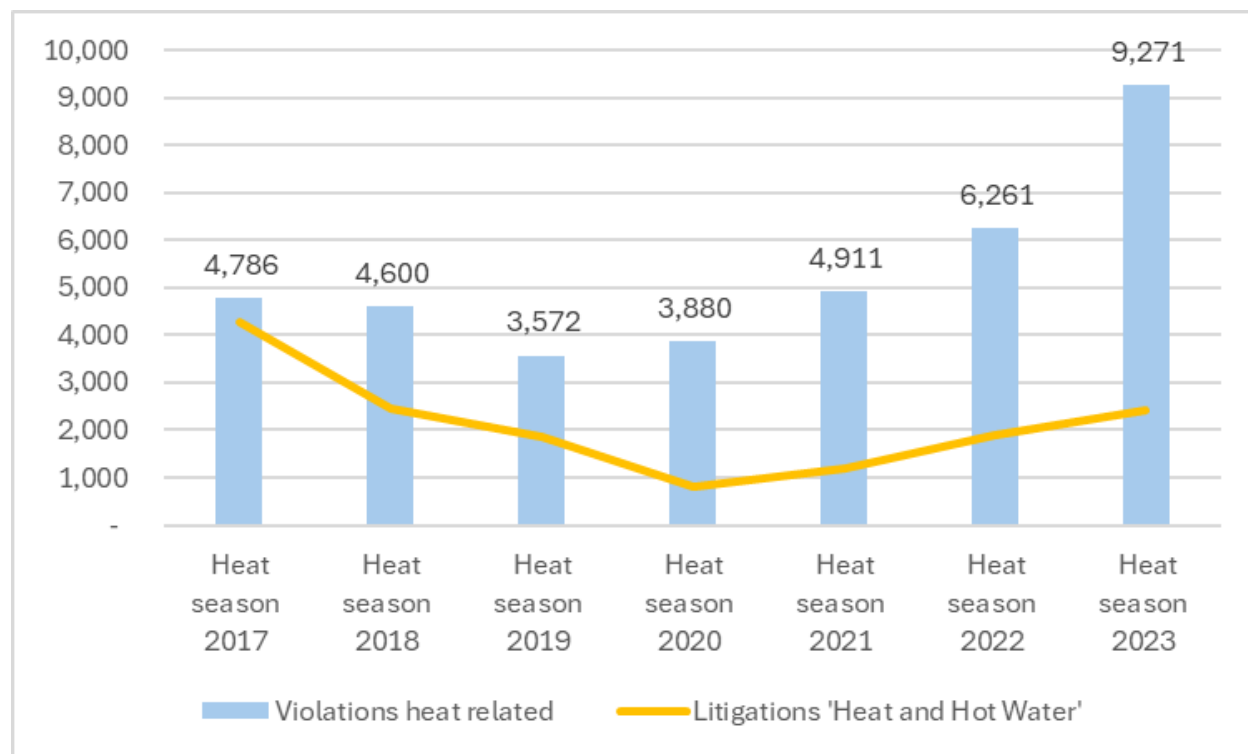
Source: HPD Housing Maintenance Code Complaints and Problems, HPD Housing Maintenance Code Violations

Litigation

HPD's Housing Litigation Division (HLD) can initiate cases in Housing Court for the correction of heat and hot water violations. Over a seven-year period, HLD initiated 14,871 cases across 10,787 buildings. Litigation remains an effective tool for code enforcement. In the two most recent heat seasons examined, heat complaints dropped 63% the year following the initiation of litigation.

While there has been a steady increase since 2020, the number of litigations initiated are still well below pre-pandemic levels even though violations have nearly doubled between 2017 and 2023. Similar to the loss of many housing inspectors, HPD also lost many attorneys during the height of the COVID-19 pandemic without being able to rehire to needed levels.⁶ To continue using this effective tool, the City must ensure that HPD has an adequate number of attorneys to meet the need.

Litigation Initiated Compared to Violations 2017-2023



Source: HPD Housing Maintenance Code Violations, HPD Housing Litigations

Emergency Repair Program

If a property owner does not correct heat violations in a timely manner, HPD may use the Emergency Repair Program (ERP) to address hazardous violations either through HPD staff or contracting with outside vendors.³ The costs are billed to the property owner through their property tax bill and if the owner does not pay those costs, the charges become a tax lien against the property.⁷ The effectiveness in ERP has grown significantly, showing a 58% average decrease in heat complaints the following heat season for the past two years. This is an 86% increase in effectiveness since the 2017-2021 analysis.

Heat Sensor Program

A key challenge tenants face in resolving heat issues is proving that the indoor temperature is below the legal limit when an inspector comes. Because a property owner is notified prior to an

³ HPD's Emergency Repair Program enables the agency to take action in buildings where the owner does not correct serious violations in a timely manner. Emergency repairs are often for issues relating to lead paint, leaks, and heat issues. After attempting to contact the owner to encourage compliance and conducting an additional inspection to scope the repair, HPD then either assigns in-house staff or hires a contractor to conduct the necessary repair work. The cost of the work is then billed to the owner through their property tax bill and becomes lienable.

inspection, sometimes the heat is temporarily increased until the inspection is complete. If the heat is not below the legal limit at the time of inspection, a violation will not be issued.

To combat this problem, the City Council passed Local Law 18 of 2020 which required HPD to select 50 buildings that consistently fail to provide heat and require owners to install heat sensors to record indoor temperatures with the corresponding date and time of the reading.

In the 2022-2024 heat seasons, buildings in the Heat Sensor Program saw a 46% average decrease in heat complaints. While this still certainly makes the Heat Sensor Program an effective tool, this is a 17% decrease in effectiveness compared to the 2017-2021 heat seasons (which saw a 63% average decrease), likely due to implementation challenges with landlord compliance. Anecdotally, tenants have reported significant delays in installation of the sensors. Notably, the notorious landlord, Ved Parkash, who’s building in the Bronx burned down in January 2025, fought his building’s inclusion in the Heat Sensor Program.⁸

To address these challenges, the Council subsequently passed Local Law 70 of 2023 which expanded the program to 50 buildings per year, rather than every other year, and added requirements to ensure the devices are properly installed. These amendments went into effect July 2024, so they are not yet reflected in this report’s analysis for the 2022-2024 heat seasons.

Persistent Bad Actors

A Subset of Buildings Consistently Fail to Provide Heat

In most cases, heat complaints are addressed by landlords after a tenant calls 311 and do not recur. Between 2022-2024, that continued to be the case, with the majority of complaints (71%) resolved without an inspection. Most buildings with at least one heat complaint have 5 or fewer heat complaints each heat season. On the severe end, there is an average of nearly 1,700 buildings per year that receive over 20 complaints for a landlord’s failure to provide heat throughout a given heat season.

Number of Complaints per Building in a Heat Season

Complaints	2017	2018	2019	2020	2021	2022	2023
5 or Fewer	24,499	22,756	20,281	21,313	24,249	24,103	22,818
6 - 10	3,579	3,290	2,623	2,878	3,448	3,396	3,362
11 - 20	2,197	2,096	1,617	1,766	2,257	2,115	2,170
Greater than 20	1,652	1,630	1,210	1,249	1,776	1,883	1,898
Total	31,927	29,772	25,731	27,206	31,730	31,497	30,248

Source: HPD Housing Maintenance Code Complaints and Problems, HPD Housing Maintenance

Owners of a small subset of buildings consistently fail to provide heat to tenants year-after-year. The 2017-2021 analysis found that there are 1,283 buildings in New York City where tenants complained about inadequate heat more than 5 times *each heat season for five years*. The addition of two subsequent heat seasons of data showed that 70% (901) of buildings on that list continue to have persistent heat issues. For at least seven years, tenants in those 901 buildings have been in dangerous and harmful living conditions during the cold winter months. Following the trend of heat complaints more broadly, the worst offenders with heat issues over seven years are concentrated in the Bronx, Upper Manhattan, and Eastern Brooklyn.

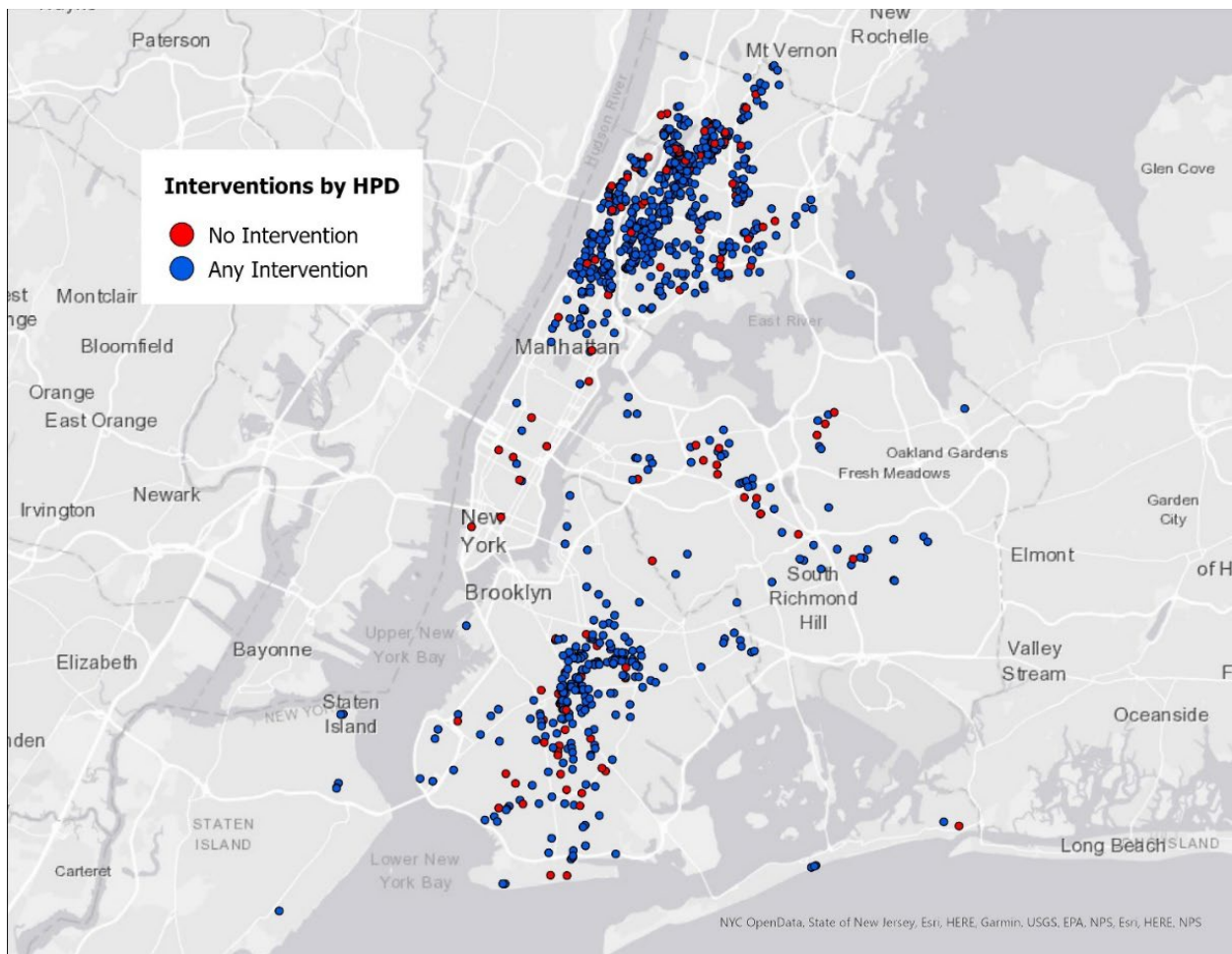
Districts with Worst Heat Issues

Community District	Neighborhoods	Buildings with chronic heat issues
Bronx 07	Bedford Park, Fordham, Kingsbridge Heights, Norwood, University Heights	96
Bronx 04	Concourse, Concourse Village, East Concourse, Highbridge, Mount Eden	75
Manhattan 12	Inwood, Washington Heights	60
Brooklyn 14	Ditmas Park, Flatbush, Manhattan Terrace, Midwood, Ocean Parkway, Prospect Park South	52
Bronx 05	Fordham, Morris Heights, Mount Hope, University Heights	49
Brooklyn 09	Crown Heights South, Prospect Lefferts Gardens, Wingate	48
Brooklyn 17	East Flatbush, Farragut, Flatbush, Northeast Flatbush, Remsen Village, Rugby, Erasmus	44
Bronx 08	Fieldston, Kingsbridge, Marble Hill (MN), North Riverdale, Riverdale, Spuyten Duyvil	41
Manhattan 10	Central Harlem	38
Bronx 09	Bronx River, Castle Hill, Clason Point, Harding Park, Parkchester, Soundview, Soundview-Bruckner, Unionport	35

Source: HPD Housing Maintenance Code Complaints and Problems

Interventions are Insufficient in Worst Buildings

In 20% of the 901 buildings with consistent heat issues, HPD has taken no significant steps to intervene and issued zero violations, and therefore not escalating enforcement through litigation, emergency repairs, or inclusion in the Heat Sensor Program. In the remaining 80% of those 901 buildings, the interventions have not been sufficient to address the underlying issues causing the inadequate supply of heat.



Code Enforcement and Speculation

While each neighborhood has a unique history, many of areas with the highest number of heat complaints share a similar story of cyclical real estate disinvestment and speculation. Nearly all the communities were “redlined” by the Home Owner’s Loan Corporation (HOLC) in the late 1930s, limiting the ability for homeowners and landlords to receive low-cost, low-risk mortgages. In New York City, this disinvestment, as well as broader economic and immigration patterns and local, state and federal policy choices, resulted in deteriorating building conditions, mass landlord abandonment and arson, and high levels of municipal foreclosure.⁹

Over the past twenty years there has been a significant amount of private investment in the same neighborhoods, however, a lack of basic maintenance and repair in multifamily rental buildings often persists. In fact, recent analysis from the University Neighborhood Housing Program (UNHP) and Local Initiatives Support Corporation (LICS) found that buildings that sold for the highest prices increase or took on the greatest debt had over twice as many more maintenance violations than buildings that did not.¹⁰ Speculative investments often worsen conditions as the owners forego addressing maintenance issues to extract additional profit.¹¹

The LISC and UNHP report also makes clear that landlords who purchased their buildings at speculative prices or took on high levels of debt were more likely to successfully evict tenants, lending some credence to the assertion that many investors' business models were predicated on the displacement of long-term residents.

Tenant protection laws, including rent regulation, good cause eviction protections, and right to counsel provisions, directly protect tenants while acting as a deterrent to real estate speculation and displacement. When coupled with strong tenant protections, code enforcement tools also play a role curbing speculation and displacement by compelling landlords to reinvest in the buildings they own to comply with the warranty of habitability. New York City has the strongest tenant protections and some of the most robust housing code enforcement in the country, but they are not always sufficient on their own, as some property owners remain unresponsive to incentives or enforcement.

The City and State should play a stronger role in escalating code enforcement against these owners and work to facilitate preservation purchases to protect tenants and increase the city's supply of affordable housing.

552 Academy Street: A Preservation Purchase Case Study

The Upper Manhattan neighborhood of Inwood has some of the highest numbers of complaints and violations for inadequate heat issues. Tenants in a 72-unit Inwood building at 552 Academy Street lived with deteriorating building conditions for over a decade. The building was at risk of collapsing and tenants consistently complained about a lack of adequate heat, hot water, gas, and electricity. In 2006, the City evacuated tenants due to the risk of collapse from the building's sagging floors and cracks in the walls.¹² Tenants were able to temporarily return to their homes, but another vacate order was issued in 2010 due to deplorable conditions throughout the building and continued structural concerns. By that point, the building had over 1,000 open violations.¹³

After diligent tenant organizing and advocacy, the tenants won their fight for a new building owner. The local non-profit Community League of the Heights (CLOTH) and Alembic Community Development worked with HPD to purchase and rehabilitate the property. With the support of HPD's housing litigation program, the building owner relinquished control of the property. The 7A program, which appoints an administrator to collect rents and handle the operations of neglected buildings, was a crucial step in enabling CLOTH eventually owning the building and putting it on a path towards rehabilitation in June 2012. Through escalated code enforcement, the City helped transform 552 Academy from a hazardous and dilapidated building into a home with remodeled and refurbished units with a new elevator, boiler, electrical upgrades, and community room while protecting tenants in place and keeping their rents affordable.



Photo of tenants celebrating their return to 552 Academy after the building's refinancing and rehabilitation. Photo courtesy of DNA Info.

Recent City and State Actions

The City and State have taken some actions that improve the code enforcement regime since the publication of the first heat code enforcement report from the Office of the New York City Comptroller including:

- **Hiring more inspectors:** In Fiscal Years 2023 and 2024, HPD hired 100 inspectors. This enabled the agency to issue more heat violations and reduce wait times. The agency’s median time for inspecting emergency complaints was less than a day in Fiscal Year 2024, a 10% improvement from Fiscal Year 2023.
- **Passing Good Cause Eviction:** In April 2024, New York State passed the “Good Cause Eviction” law that provides tenants with a legal pathway to challenge unreasonable rent increases and retaliatory, discriminatory, or arbitrary evictions. With the passage of the law, New York City residents in certain previously unregulated market-rate units can only be evicted for a good cause such as non-payment of rent or significant lease violations. While not explicitly a law focused on code enforcement, it is reasonable to assume that tenants may feel emboldened to demand better conditions in their homes without fear of retaliation if they know their landlord must renew their lease.
- **Passing Local Law 70 of 2023 to expand and strengthen the Heat Sensor Program:** Local Law 70 required HPD to expand the number of dwellings in the Heat Sensor Program from 50 buildings every two years to 50 buildings each year. This law also attempts to address the program’s implementation challenges with landlord compliance by requiring that HPD inspections confirm that temperature recording devices are properly installed.
- **Passing Local Law 71 of 2023 to create a “Certification Watchlist:”** Local Law 71 requires HPD to compile a list of residential buildings with over 20 hazardous or immediately hazardous where at least four violations were falsely certified. On January 25th 2025, HPD published its first watchlist. The vast majority, 73 out of total 100 buildings, are in the Bronx.¹⁴ 35 of the 100 buildings on the watchlist overlap with the 901 buildings with chronic heat issues over seven years – indicating that in some of the most severe buildings across the city, the property owners have falsely claimed that conditions were repaired.

Even with these critical interventions in place, this report’s analysis makes clear that in a small number of buildings, tenants in New York City continue to struggle to ensure their landlord provides heat in their homes. The City must strengthen its application and escalation of code enforcement mechanisms within those buildings.

Recommendations

Prior Recommendations

The 2023 report outlines a series of recommendations for improving the code enforcement regime, some of which were implemented by HPD. More detail on those recommendations can be found in the first edition of the [Turn Up the Heat](#) report. Below are the recommendations that have not yet been implemented:

Use data & technology to inform and prioritize inspections with a focus on buildings with persistent heat complaints:

- Provide code inspectors with comprehensive information about the history of heat complaints of each building they inspect. This should include the number of complaints made in the current and previous heat seasons and from which apartments and during which time of day. This information should inform their inspections and time should be allocated appropriately depending on the severity of the history of complaints.
- Build on this report’s analysis to create and further refine a database of “buildings with persistent heat complaints” to prioritize inspections and proactive code enforcement strategies. While the analysis in this report has defined persistent heat complaints to include the buildings in which tenants complained more than 5 times each heat season over a seven-year period, there are countless ways to create a similar dataset aimed at locating the buildings in which tenants are consistently complaining about a lack of heat. The City should conduct additional and variable data analysis to further refine this definition. That universe of buildings should then be used to inform the City’s design of programs and interventions to alleviate lack of heat and better hold landlords accountable.
- Require the City to proactively inspect buildings with persistent heat complaints. Real Time Field Force (RTFF) technology should also be used to quickly route inspectors to these buildings and reduce the time it takes to conduct a physical inspection.⁴
- Allow tenants living in buildings with a history of persistent heat complaints to schedule inspections within a window of time in which it is typically most cold in their apartments. These inspections should not trigger landlord notification and tenants should be allowed to schedule them overnight.

⁴ Tenants are typically not able to schedule their inspection and do not receive advance notice. As a result, complaints are sometimes closed because an inspector cannot gain access. The Real Time Field Force data software is a promising tool for improving housing maintenance inspections. RTFF streamlines the inspection process, captures real-time data, and helps prioritize high priority inspections.

Conduct comprehensive site inspections and identify landlords' willingness to comply:

- Conduct joint HPD and DOB inspections of central heating and distributions systems in buildings with persistent heat complaints. This inspection should seek to determine the causes of the outage and be a guiding document for HPD's enforcement approach.
- Contact the owner of the property to determine the barriers impeding their ability to consistently provide an adequate supply of heat. Where owners are willing to cooperate, make referrals to City and State programs that provide resources and oversight to achieve repairs. Consider requiring that owners of property submit a description of the conditions causing the violation when filing a certification of correction for heat code violations.

Expand Proactive Code Enforcement and Targeted Escalation:

- Use the Emergency Repair Program (ERP) or the 7A Program, in appropriate instances, to make comprehensive repairs needed to ensure the adequate supply of heat to tenants if landlords do not meet milestones that demonstrate progress.
- Amend the rules enacting Local Law 6 of 2013 (whose lead sponsor was Council Member Gale Brewer), either through HPD-initiated rule amendment, or City Council legislation, to give HPD the power and responsibility to issue an administrative order to landlords to correct underlying conditions that are causing heat violations.
- Where owners continually fail to address hazardous living conditions and are nonresponsive to escalated enforcement strategies, offer preservation purchases (e.g. through HPD's Neighborhood Pillars program), where buildings are acquired by not-for-profit developers as affordable housing and renovated as necessary.

Expand tenants' rights and education:

- Expand direct multilingual outreach to tenants, particularly in neighborhoods with large numbers of residents who are foreign-born.
- Fund community organizations that educate and assist tenants.

Escalated Enforcement Recommendations

Tenants in 901 buildings across New York City have lived with inadequate heat since 2017. While the City's code enforcement mechanisms are generally effective, it is clear HPD's interventions are not working for long-standing, severe cases.

As noted previously in the report, 80% of the 901 buildings with at least seven years of inadequate heat have already have some form of intervention, but the interventions have failed to correct the problem in the long-term. Given the stubborn number of buildings with persistent heat issues, HPD must prioritize escalation methods that would enable comprehensive repairs in a building. Over time that escalation may include transferring building ownership away from the owners that consistently neglect their tenants' health and safety.

The City has two existing programs that should be more effectively deployed to help get buildings with persistent heat problems out of the hands of neglectful owners — the 7A Program and Neighborhood Pillars:

- **The 7A program** enables HPD to appoint an administrator to operate a building where conditions are dangerous to a tenants' life and safety. The administrators take over rent collection and can use those rents to make necessary repairs.¹⁵ 7A administrators can also access city capital to make repairs if rents do not cover the cost. Despite the strength of this tool, very few 7A cases are filed each year. While additional analysis would be required, many of the 901 buildings identified in this report may be chronically distressed and good candidates for a 7A litigation. Advocates have long been calling for reforms to the 7A program given the way landlords find ways to address just enough conditions in the building to exit the program, only to let the building quickly fall into disrepair again.¹⁶ While the 7A program is critical for rehabilitating buildings through the transfer of ownership, the program must be made easier and more accessible for tenants to use.
- **The Neighborhood Pillars program** is an initiative designed to enable non-profit and other affordable housing organizations to acquire and rehabilitate housing for low- to moderate-income households. Launched in 2018, the program's budget was entirely slashed in 2020 in the wake of COVID-19 budget cuts. In 2024, City the Office of the New York City Comptroller, Council Members, and advocates pushed for the restoration and revamp of the program. The advocacy restored a very small amount of funds to the program (\$30 million over two years), however, as of February 2025, the City has yet to formally "relaunch" the program. The City should immediately reopen this program and increase available funding to enable non-profits to acquire and rehabilitate buildings with chronic and persistent heat issues.

The City Council should pass the **Housing Rescue and Resident Protection Act (HRRPA) or Int 1063-2024**.

- The City of New York has used its power to take away thousands of physically and financially distressed buildings away from negligent landlords. The specific tools and programs have changed over the past 50 years to relate to the current economic and housing conditions of New York City. Council Member Pierina Sanchez introduced the Housing Rescue and Resident Protection Act (HRRPA) in 2024, which creates a modern framework for how the City can balance the need to protect small property owners, while ensuring that the City can utilize all the tools in its toolbox to protect tenants and preserve affordable housing.

These three programs provide the infrastructure needed to better ensure building owners provide their tenants with a decent home. For the small percentage of property owners who have an outsized damaging impact on tenant health and safety, HPD should deploy these programs strategically, to preserve affordability while providing comprehensive repairs.

Conclusion

The City can help prevent the deadly consequences that sometimes occur when tenants are not provided with proper heat. An analysis of the past seven years of heat complaints shows that even with HPD interventions, many of the agency's existing tools are simply not enough for the property owners that repeatedly refuse to abide by the City's laws. The City has the tools to transfer ownership from the most consistently law-breaking owners and get the buildings into community ownership.

The City must continue to prioritize inspections and enforcement at the buildings with chronic heat issues, to help ensure that tenants have safe, habitable conditions. As New York's affordable housing crisis grows and tenants are pushed out of their homes and communities, the recommendations in this report will ensure that tenants have access to warm, stable, and dignified housing.

Methodology

The Comptroller's Office analyzed datasets published by the Office of Housing, Preservation, and Development on the City's open data portal. The figures reported are the result of the following inquiries:

- [Housing Maintenance Code Complaints and Problems | NYC Open Data \(cityofnewyork.us\)](#) - Accessed in October 2024. Date Field: Received Date
- [Housing Maintenance Code Violations | NYC Open Data \(cityofnewyork.us\)](#) - Accessed in October 2024. Date Field: ApprovedDate
- [Housing Litigations | NYC Open Data \(cityofnewyork.us\)](#) - Accessed in October 2024. Date Field: CaseOpenDate
- [Handyman Work Order \(HWO\) Charges | NYC Open Data \(cityofnewyork.us\)](#) - Accessed in October 2024. Date Field: HWOCreatedDate
- [Open Market Order \(OMO\) Charges | NYC Open Data \(cityofnewyork.us\)](#) - Accessed in October 2024. Date Field: OMOCreatedDate

The universe of residences in these data are limited to privately held properties; complaints in NYCHA facilities are not included. Each of the data were filtered to include only entries recorded after July 1st, 2017. The Housing Maintenance Code Complaints and Problems dataset was filtered to only include Problem Codes pertaining to lack of heat and/or hot water (CodeIDs 2713, 2715, 2716, 2833). The Housing Maintenance Code Violations dataset was filtered to only include administration codes pertaining to the supply of adequate heat (NOVDescription 27-2028 and 27-2029). The Housing Litigations dataset was filtered to include case types pertaining to heat and hot water (CaseType "Heat and Hot Water").

The Handyman Work Order (HMO) and Open Market Order(OMO) datasets were filtered to only include WorkTypeGeneralFields “7AFA”, “ELEC”, “HEAT”, “PLUMB”, “STOPAG”, and “UTIL”, all of which contained substantial instances of heat and hot water repairs conducted by contractors or employees of HPD.

The Comptroller’s Office qualitatively consolidated 20 unique dispositions in the Complaint Problems dataset’s field StatusDescription into 6 categories according to whether a complaint resulted in Contact or Inspection, and if the matter was Corrected, concluded with No Access, or a Violation Issued/Not Issued.

All data were associated with a Heat Season beginning on October 1st and concluding on May 31st according to the Date Field listed above. For example, a violation with an ApprovedDate of November 15th, 2022 would be associated with the 2022-23 Heat Season. A full list of all BuildingIDs present in any dataset was created, and counts were taken for each record for each Heat Season that received a complaint, violation, or other intervention by HPD.

Geographic data were matched to MapPluto 24v3 by matching Borough and Block Lot (BBL) to associate Buildings with Latitude and Longitude coordinates. There are a small number of duplicate records created by the process of matching Building IDs to BBLs, as HPD records are inconsistent over time, sometimes attributing a Building ID to the address of the subject building, and in other cases to an address for the owner of record, as discovered through the data validation process. Where duplicate records were generated, results were de-duplicated by Building ID. Total complaints and violations at the building level were aggregated at the community district level and averaged to create a single five-year figure for the heat seasons between 2017 and 2021 and a two-year average for the heat seasons between 2022 and 2024. The percentage change for each of these periods was calculated to highlight trends over time and provide insight into the patterns of complaints and violations. Map visuals were created in ArcGIS Pro and ArcGIS Online.

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Endnotes

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