



**NEW YORK CITY DEPARTMENT OF HEALTH
AND MENTAL HYGIENE**
Dave A. Chokshi, MD MSc
Commissioner



**NEW YORK CITY ADMINISTRATION FOR
CHILDREN'S SERVICES**
David A. Hansell
Commissioner

FOR IMMEDIATE RELEASE
Friday, May 14, 2021

SPRING IS HERE: CITY URGES NEW YORKERS TO TAKE STEPS TO PREVENT WINDOW FALLS

Properly installed window guards protect children from death and serious injuries; in 2020, there were seven falls among children 10 years of age or younger; none were fatal.

Since February, three young children have fallen from windows, resulting in injuries.

May 14, 2021 – As temperatures rise and windows are opened, the Health Department, the NYC Administration for Children’s Services (ACS), and the Department of Housing Preservation and Development (HPD) are urging landlords, homeowners and tenants to take action to prevent window falls. Properly installed window guards can prevent children from falling out of open windows. Since February, three children 10 years of age and younger have fallen from windows that did not have window guards and sustained non-fatal injuries.

“Window falls are preventable by taking measures to ensure your home is safe,” said **Health Commissioner Dr. Dave A. Chokshi**. “As a father, I know just how important it is to protect our children. If you have a child under the age of 11, make sure you have securely installed guards in windows that are not emergency exits. If you don’t have window guards, contact your building owner. If the owner doesn’t install the guards, **call 311.**”

“As ACS continues to carry out its core mission of keeping children safe, we’re reminding New Yorkers just how life-saving properly installed window guards can be,” said **Commissioner David A. Hansell**. “With the weather getting warmer, now is the time to install window guards in your home -- if you have not done so already-- so we can prevent future tragedies from occurring.”

“Properly installed window guards continue to be one of the most important measures towards protecting families with young children in New York City,” said **HPD Commissioner Louise Carroll**. “HPD is doing its part to educate landlords and take action when window guards are absent or not installed correctly. I thank the Health Department and the Administration for Children’s Services for their partnership in the mission to make the city’s children safer in their homes.”

New York City was the first U.S. city to adopt a window guard policy in 1976. Before the law was passed, it was not uncommon for more than 100 falls, some fatal, to occur in a given year. In the last 20 years, there have been fewer than 20 falls annually.

Last year, seven children age 10 and younger fell from windows; none were fatal. Of these seven falls, six occurred in buildings with three or more units – where, under city law, building owners are required to install approved window guards in any apartment where a child 10 years of age or younger is cared for or lives. These falls could have been prevented if the required window guards had been properly installed. The remaining fall occurred in a one- and two-family home. While these private homes are not covered under city law, the falls may have been prevented by window guards.

Complying with the window guard requirements is a responsibility shared by owners and tenants. Owners of buildings with three or more units need to inform tenants about window guard requirements at the start of a new lease or when a lease is renewed. Owners must also distribute an annual notice that describes window guard requirements at the start of each year.

Tenants, in turn, need to complete and return this annual notice by February 15 of each year to notify building owners if children 10 years of age or younger reside in the home or if they want window guards for any reason (e.g., children regularly visit the apartment). Building owners must install window guards or limiting devices in all homes in which tenants indicate the need for them. Window guards must also be installed in any common areas, such as hallways and laundry rooms. As noted above, private dwellings are not covered under this law, but the Health Department strongly recommends that all parents of young children living in private dwellings install window guards.

Tenants must allow building owners and superintendents into their homes to install window guards or make any needed repairs. To ensure safe installation during the COVID-19 public health emergency, tenants and maintenance staff should stay at least 6 feet apart and wear face coverings. Once installed, tenants cannot remove or alter the window guards or limiting devices.

The Health Department would like to recognize **Dr. Amita Toprani**, the Medical Director for the Bureau of Environmental Disease and Injury Prevention who passed away this spring, for all her important work in preventing window falls among the city's children. Her passion for injury prevention extended to preventing falls among older adults and preventing workplace-related fatalities. New York City has lost a true public health champion.

Approved Window Guards and Proper Installation

In homes where window guards are needed, all window types, including sliding windows with screens, must have approved and properly installed window guards or limiting devices. All window guards and limiting devices must have a Health Department approval number on the

inside side-rail and must be appropriate for the window it occupies. Any guard that has more than a 4½-inch space between the bottom bar and the windowsill or the top bar and the base of the raised window is not installed properly. If a window has an air conditioner, it must be permanently installed with one-way metal screws, and any space that exceeds 4 ½ inches on either side of the air conditioner must be covered with rigid, secure panels.

Here are some guidelines for determining whether window guards are properly installed:

- On double-hung windows, two L-shaped stops should be screwed into the upper window tracks — one on each side — to keep the bottom window from being opened more than 4½ inches above the top bar of a window guard.
- The window guard or limiting device should allow no opening or space greater than 4½ inches on any window, including double hung, casement or sliders.
- The window guard must be installed securely and be flush mounted to the window frame on both sides with one-way or tamper-proof screws approved by the Health Department.
- The window guard must be installed in a sturdy window frame.

See the [Health Department's web pages](#) for comprehensive information about approved and properly installed window guards and limiting devices.

Enforcement of Window Guard Requirements

The Department of Housing Preservation and Development (HPD) is responsible for enforcing the New York City Housing Maintenance Code and New York State Multiple Dwelling Law, including the window guard requirements. HPD responds to tenant complaints, performs inspections, and, where appropriate, writes violations of these codes, instructing landlords to correct the violation conditions.

In FY20, HPD received 2,000 complaints for window guards. HPD inspectors also proactively look for window guards where there is a child under 11 on every inspection and have issued 11,000 window guards violations citywide. Additionally, HPD's Emergency Repair Program purchased, installed or repaired window guards in 1, 600 apartments.

If a building owner refuses to install window guards, tenants should call 311 or go to 311 Online (www.nyc.gov/311) to file a complaint with HPD. Building owners may also call 311 to report tenants with young children who refuse to allow guards to be installed as required by law.

Additional Recommendations to Prevent Window Falls

If you are a parent of young children, here are some additional recommendations for preventing window falls:

- Carefully check window guards periodically to ensure that they are secure. Screens are never a substitute for window guards.
- Never place a bed, chair or other object onto which children can climb in front of a window.
- Keep children off balconies and terraces if they are not being closely supervised by an adult by locking doors to those areas.
- Never let children play near elevator shafts or on fire escapes, balconies, terraces or rooftops.

- Never leave a child alone in a room where there are open windows that do not have window guards.
- Don't let them play unsupervised in building hallways that have unguarded windows.
- Screens are not a substitute for window guards.
- Call 311 to report unguarded hallway windows.

For more information about window guards, visit nyc.gov/health and search for **window guards**. You can also email the Health Department at windowfallprevention@health.nyc.gov.

###

#019-21

DOHMH MEDIA CONTACT: Patrick Gallahue / Michael Lanza,
PressOffice@health.nyc.gov

ACS MEDIA CONTACT: mediainquiry@acs.nyc.gov