

**NYC**<sup>™</sup>

Department of  
Housing Preservation  
& Development

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# ABCs OF HOUSING



May  
**2019**

# ABCs OF HOUSING



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# Owners' and Tenants' Rights and Responsibilities

Owners and tenants have legal responsibilities to each other. The New York City Department of Housing Preservation and Development (HPD) is one of many City and State agencies that enforce those responsibilities. This booklet is designed to help owners and tenants gain an understanding of the rules and regulations affecting housing and provide you with information about where you can receive assistance. Property owners are required to post a notice about the availability of the *ABCs of Housing* in the common area of their building (see inside back cover for a sample of the notice that must be posted).

## BUILDING OWNERS

Owners must ensure that common areas and individual apartments in their buildings are safe and well maintained in compliance with the Housing Maintenance Code (HMC) and Multiple Dwelling Law (MDL). Among other responsibilities, owners must provide and maintain security measures, heat, hot and cold water, and good lighting. Only legal residential space may be rented for living, as defined by a property's Certificate of Occupancy. As specified in the law, an owner must also provide smoke detectors, carbon monoxide detectors, and window guards. Owners of residential properties with three or more residential units, and for 1–2 family homes if neither the owner nor the owner's immediate family reside at the property, must register the units annually with HPD at: [nyc.gov/propertyregistration](http://nyc.gov/propertyregistration). If the building is rent-stabilized, the owner must register rents annually with NYS Homes and Community Renewal (HCR). Property owners can bring eviction proceedings if tenants do not meet their responsibilities; owners cannot lock tenants out of apartments or otherwise harass tenants to leave an apartment. The Multiple Dwelling Law and the Rules of the City of New York require signage to be posted at buildings, documents to be filed with HPD, and notices to be provided by property owners to tenants. For more specific information about signage and documents to be filed with HPD, please visit the owners section on the HPD website.

## TENANTS

Tenants should expect to live in safe, well maintained buildings that are free from pests, leaks and hazardous conditions. Laws protect tenants from harassment. Tenants have responsibilities to their building owners and other tenants. They may not damage the building, intentionally or through neglect. Tenants are also responsible for the actions of their guests. They have a responsibility to respond to annual owner inquiries related to window guards and lead-based paint, and to maintain smoke and carbon monoxide detectors. Tenants must obey the legal terms of leases, pay rent on time, honor the rights of other tenants, and provide access for repairs. Tenants can find out if an apartment and/or building has been registered as rent stabilized by calling HCR at 718-739-6400 or sending an email to [rentinfo@nycshr.org](mailto:rentinfo@nycshr.org).

## OWNERS ENTRY

The law provides that a tenant must permit the owner, or his or her agent or employee, to enter the tenant's apartment or other space under his or her control to inspect, make repairs or make improvements as required by the HMC or other law. The owner must notify the tenant in advance, in writing, of the day and time he or she wishes to access the apartment. The appointment must be between 9am and 5pm during the week, unless otherwise agreed to by the tenant or unless there is an emergency situation that must be addressed immediately. When repairs are urgently needed to prevent damage to property or to prevent injury to persons, such as repairs of leaking gas piping or appliances, leaking water piping, stopped-up or defective drains or leaking roofs, or broken and dangerous ceiling conditions, no advance notice is required from the owner, agent, contractor or workman. Any contractor or agent of the owner must be able to show the tenant that he has been authorized by the owner to enter and do the work.



# Staying in Your Apartment Safely



## I. Conditions

Tenants may have several options to pursue if physical conditions in a building are not safe or in good repair. Tenants in privately owned buildings with maintenance problems should first notify the building owner or manager. If verbal notification does not result in a resolution to the problem, tenants may wish to send written notification through certified mail, with a return receipt requested. Keeping these records is important if the owner does not take any action to address the issue(s). In addition, tenants may file complaints with the city and, in the case of rent-stabilized or rent-controlled apartments, with the state. Information on how to file a complaint and examples of conditions that can be reported can be found below.

HPD responds to complaints about the following conditions, as well as to complaints about mice, roaches, plumbing, broken windows, broken plaster, lighting/electrical issues, sanitary conditions, stairs, and other basic building maintenance issues.

For more details on any of the below conditions, please visit HPD's website at [nyc.gov/hpd](http://nyc.gov/hpd).

Effective October 2017  
**COLD WEATHER HEAT REQUIREMENTS**  
October 1st-May 31st

**NYC**  
Department of  
Housing Preservation  
& Development

**DAY**  
6 a.m. - 10 p.m.  
At least **68°F** inside

**NIGHT**  
10 p.m. - 6 a.m.  
At least **62°F** inside

Below **55°F** outside

No outside temperature requirement

Tenants without heat should file a complaint through the **NYC311 Mobile App**, calling **311 (TTY 212-504-4115)**, or online at [nyc.gov/311](http://nyc.gov/311)

For more information, visit [nyc.gov/hpd](http://nyc.gov/hpd)

**Heat & Hot Water**

## A. Heat and Hot Water

**H**eat is required between October 1st and May 31st, a period designated as "Heat Season." Building owners are required to provide tenants with heat during these months under the following conditions:

- When the outside temperature is below 55 degrees Fahrenheit between the hours of 6am and 10pm, building owners must heat apartments to at least 68 degrees Fahrenheit. HPD can only issue violations if the owner fails to supply adequate heat when the outside temperature is below 55 degrees Fahrenheit.
- Between the hours of 10pm and 6am, regardless of the outside temperature, building owners

must heat apartments to at least 62 degrees.

- Building owners also must ensure that tenants have hot water 24 hours a day, 365 days a year, at a minimum constant temperature of 120 degrees Fahrenheit.
- HPD seeks penalties for heat violations in Housing Court. An owner may be eligible to satisfy a heat/hot water civil penalty for a first violation by submitting a \$250 payment with a timely Notice of Correction. Additionally, for a third or any subsequent inspection that results in a heat violation within the same heat season (October through May) or a hot water violation within a calendar year, HPD will charge a fee of \$200 for the inspection.

## B. Carbon Monoxide and Smoke Detectors

**C**arbon monoxide is an odorless and highly toxic gas. In general, landlords are required to provide and install at least one approved carbon monoxide detector in each dwelling unit and provide written information about how to test and maintain them. The detector must have an audible end-of-useful-life alarm. A carbon monoxide detector must be installed within 15 feet of the primary entrance to each sleeping room.

Landlords must also install smoke detectors in each apartment.

Tenants are responsible for maintaining both devices. If a tenant has removed the detector or failed to replace its battery, he/she must return it to proper working order.

For safety's sake, tenants should:

- Test all carbon monoxide and smoke detectors at least once a month.
- Replace the batteries in carbon monoxide and smoke detectors at least twice a year.
- Listen for an alarm sound when the battery is low, and replace the battery immediately.
- Use only the type of batteries recommended on the detector.
- Never paint over detectors.

Tenants who live in a Class A building (permanent occupancy) must reimburse the building owner \$25 for each smoke detector and each carbon monoxide detector, or \$50 for each joint smoke/carbon monoxide detector that

is newly installed or installed as a result of the occupant's failure to maintain the detector, or where the detector has been lost or damaged by the occupant. The occupant has one year from the date of installation to make a payment.

Tenants who live in class B buildings (transient use) are not required to reimburse property owners for either device.

Tenants in private dwellings (1-2 family homes) must reimburse the building owner \$25 for each carbon monoxide detector that is newly installed or installed as a result of the occupant's failure to maintain the detector, or where the detector has been lost or damaged by the occupant. The occupant has one year from the date of installation to make a payment.



## Carbon Monoxide & Smoke Detectors

## C. Locks

### DOUBLE CYLINDER LOCKS

**D**ouble cylinder locks, which are locks that require a key to open from the inside, are dangerous and illegal. Tenants must remove any double cylinder lock from apartment entrance doors or contact the property owner to have it removed.

### KEY-LOCKED WINDOW GATES

**W**indow gates that require a key to access the fire escape are illegal and must be removed. In case of a fire or other emergency, delay in finding or using the key can reduce a tenant's chances of escape. Tenants can protect themselves with legal window gates, which lock by use of a latch system, and provide security against burglary. Before purchasing a window gate, check the label with the serial number on it to make sure it states that it has been approved for use in New York City.



## Locks

# Lead-Based Paint

New York City's LeadFreeNYC plan was released in January 2019 and outlined 45 separate initiatives that Mayor's Office and a number of City Agencies are undertaking to remove lead from buildings. To learn more the City's efforts to preventing lead exposure visit the LeadFreeNYC website at: [nyc.gov/leadfree](http://nyc.gov/leadfree)

## D. Lead-Based Paint

**L**ead is a poison often found in old paint. Lead poisoning can cause behavior and learning problems in young children. Peeling lead-based paint is the most common cause of childhood lead poisoning. NYC banned lead-based paint in 1960, but older buildings may still contain it. Lead dust from peeling paint lands on household surfaces and toys. When children play and put their hands and toys in their mouths they can swallow lead dust. Property owners must identify and remediate lead-based paint hazards, in the apartments where there are young children, using trained workers and safe work practices. Lead-based paint hazards are presumed to exist if:

- The building was built before 1960 (or between 1960 and 1978 if the owner knows that there is lead-based paint) and,

- The building has three or more apartments and,
- A child under the age of six resides in the apartment.

Owners of such buildings must ask tenants in writing, annually, whether children under the age of six are in residence. If so, owners must visually inspect the apartments and common areas for lead-based paint hazards once a year. Property owners can hire qualified companies to conduct testing to determine whether there is lead-based paint in their buildings and work proactively to reduce the liability associated with lead-based paint. Lead-based paint violations must be repaired by trained workers using safe work practices, within the time-frames specified by law and HPD rules. If owners can show that there is no lead paint in the building and complete all

of the requirements for an Exemption from HPD, then the annual requirement for obtaining information from the tenant and conducting visual inspections can be waived. Property owners of pre-1960 buildings are also required to take action to remove and /or remediate lead-based paint whenever an apartment turns over, which can result in an exemption request. For more information on turnover requirements and Exemptions, see HPD's website under Lead-based Paint.

Tenants should report peeling paint in an apartment to the landlord. If the landlord does not fix peeling paint or if work is being done in an unsafe manner (for example, creating dust that is not being contained), tenants should call **311**. Tenants may also call **311** to learn how to prevent lead poisoning, find out where to get their

children tested, find information about pregnancy and lead, or request brochures and materials on lead poisoning prevention.

**Tenants are required to:**

- Fill out and return the Annual Notice regarding lead-based paint that you receive from the landlord.
- Notify the landlord in writing if a child under six comes to live with you or if you have a baby.

**Tenants should:**

- Wash floors, window sills, hands, toys, and pacifiers often.
- Remind your doctor to test your children for lead poisoning at ages one and two.

**Property owners resources**

- For information on free training on lead-safe home repair, please call DOHMH at **212-226-5323**.

- For brochures on low interest loans and grants to help homeowners fix lead-based paint and other healthy homes repair items, call **311** or see HPD's website ([www.nyc.gov/hpd](http://www.nyc.gov/hpd)) for information about the Lead Hazard Reduction and Healthy Homes program (Primary Prevention Program).

## E. Mold

**M**old is always present in our environment but mold growth indoors can be a problem. Mold may cause allergic reactions, irritation, or trigger asthma in some people. Mold needs water or moisture to grow so it is important for building owners to maintain their buildings and fix leaks promptly. Residents can help prevent mold growth on bathroom or kitchen surfaces by using exhaust fans or opening windows and frequently cleaning surfaces.

Tenants should report leaks and signs of mold growth to their building owners. Clean-up of mold may require licensed contractors; property owners and tenants can read more about these requirements on HPD's website. If repairs are not made, call **311**. In some buildings, and for some amounts of mold, property owners must hire professionals to address the mold and the condition causing the

mold. More information will be provided to you by Housing Inspectors who conduct these inspections and by mail from HPD if a violation is issued. To learn more about mold, go to HPD's website [nyc.gov/hpd](http://nyc.gov/hpd) or visit the City Department of Health and Mental Hygiene's website at [nyc.gov/doh](http://nyc.gov/doh).

In addition to violations, HPD can issue an Order to Correct the underlying conditions that cause mold or water leak violations.

**UNDERLYING CONDITIONS**

The Underlying Conditions Program allows HPD to issue an administrative order to residential building owners to correct underlying conditions that have caused, or are causing, a violation of the Housing Maintenance Code. The program focuses on leaks and mold conditions. HPD selects buildings for participation in the program

each year based on the number of apartments affected by mold and leaks and the number and severity of the violations. Property owners are required to investigate the cause of leak or mold conditions affecting multiple apartments in a building and to address the conditions and related violations within four months. HPD may sue non-compliant owners in Housing Court. The civil penalty is \$1,000 for each dwelling unit with a minimum of \$5,000. If the owner fails to comply with the Order, HPD may hire a contractor to make the repairs at the owner's expense. HPD is subject to laws that may make such work significantly more expensive than if the owner contracted directly for the work. Failure to pay the bill may result in a tax lien being placed against the property. The tax lien will bear interest and can be sold or foreclosed if not paid in a timely manner.



Mold



## Pests

### F. Pests

The first step to eliminating pests is by cutting off their food and water supply. Cockroaches and mice are best controlled by sealing up holes and cracks, cleaning up droppings and using safe pesticides. Building owners should work with their pest control contractor to identify pest infestations and ways to keep pests out. Owners can pest-proof their buildings by fixing leaks and containing garbage. Tenants can help by keeping food and garbage covered and reducing clutter. Roaches, mice and rats can also be hazards to individuals with respiratory conditions, such as asthma. More information will be provided to you by Housing Inspectors who conduct these inspections and by mail from HPD if a violation is issued. To learn more about pests, see DOMHM Controlling Pests Safely at <https://www1.nyc.gov/nyc-resources/service/2310/rat-or-mouse-bite>.

#### BEDBUGS

Bedbugs are rusty-red colored insects that can grow to the size of apple seeds. Bedbugs feed on human blood, but do not carry diseases. Infestations can spread among apartments when bedbugs crawl through small crevices or cracks in walls and floors. Early detection of bedbugs is the key to preventing a severe infestation. For more information on bedbugs, detection and information on how to treat bedbugs, take HPD's free "Bedbug Management" course online in English or Spanish at [nyc.gov/hpd](http://nyc.gov/hpd) or go to the Department of Health

and Mental Hygiene's Bedbug Portal: <http://www1.nyc.gov/site/doh/health/health-topics/bedbugs.page>.

New York State law requires that landlords hire only pest control professionals licensed by the NY State Department of Environmental Conservation (DEC) to treat apartments for bedbugs. The pest control professional should perform an inspection to confirm the presence of bedbugs, locate and eliminate hiding places, treat the apartment with cleanings or pesticides and make follow-up visits to ensure that the bedbugs are gone.

When calling 311 to make a bedbug complaint, the caller may be asked by the 311 operator about whether it would be acceptable for HPD to bring a dog trained to sniff out bedbugs to participate in an inspection. If the dog is not allowed, an HPD Inspector will conduct a visual inspection. Violations will be issued if the Inspector is able to visually confirm the presence of live bedbugs. Multiple bedbug violations in a building may lead to enhanced enforcement.

Since November 2017, property owners need to start collecting information about bedbug occurrences in their buildings. Information will need to be filed electronically with HPD beginning in December 2018 based on this information. Check HPD's website under bedbugs in October 2017 for more specific information about these requirements.



## G. Window Guards

**E**ach year, young children are injured or die as a result of falls from unguarded windows. These are preventable deaths and injuries.

Owners have a responsibility to ensure that window guards are properly installed. The window guard law requires owners to send an annual notice to tenants of multiple dwellings (buildings of three or more apartments) regarding window guards. It also requires owners to provide and properly install approved window guards on all windows in all apartments where a child 10 years of age or younger resides, including first floor bathrooms, windows leading onto a balcony or terrace, and

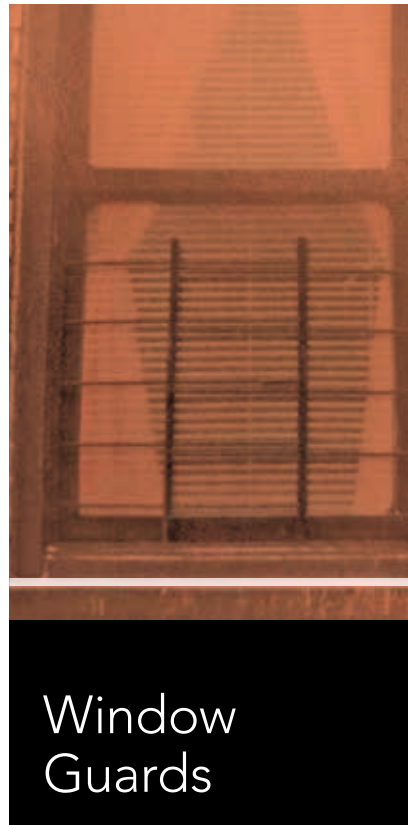
windows in each common area on any floor. The exceptions to this law are windows that open onto a fire escape, and windows on the first floor that are a required secondary exit, since the fire escapes start on the second floor.

If tenants or occupants want window guards for any reason, even if there are no resident children 10 years of age or younger, the tenant can request the window guards in writing and the landlord must install them. For example, occupants who have visiting grandchildren, parents who share custody and occupants who provide child care may wish to request window guards.

Tenants should call **311** if required or requested window guards have not been installed, if they appear to be insecure or improperly installed, or if there is more than four and a half inches of open unguarded space in the window opening.

Tenants should not remove or unscrew window guards. The Department of Health and Mental Hygiene's website ([nyc.gov/doh](http://nyc.gov/doh)) can provide additional information on:

- Annual notices
- Installation requirements for approved window guards
- Variances



## H. Self-Closing Doors

**S**elf-closing doors are a critical component of fire safety. HPD has worked closely with the City Council on legislation to enhance fire safety in buildings. New laws now make the existing requirement for self-closing doors next to stairways and hallways a class C violation.

Self-closing doors should never be blocked and can help contain a fire from

spreading throughout a building. Make sure your apartment door can be opened from the inside without a key, and that this primary exit is free from obstructions.

In all multiple dwelling types, the following doors are required to be self-closing:

- Building entrance doors
- Unit entrance doors

- Fire stair doors
- Fire tower doors
- Bulkhead doors
- Rubbish chute closet doors
- Other doors accessing the public hall/stairs (building commercial space, garage areas, etc.)





## I. Gas Leaks

**G**as leaks can create fires and explosions. It's important that you and your family know how to recognize a gas leak and what to do if you suspect a leak. Recognize a gas leak by:

**Smell**—A distinctive, strong odor similar to rotten eggs

**Sight**—A white cloud, mist, fog, bubbles in standing water, blowing dust, or vegetation that appears to be dead or dying for no reason

**Sound**—Roaring, hissing, or whistling

Beginning in June 2017, property owners are required to post signage and provide information to tenants regarding what to do when they suspect a gas leak. There is a penalty for failing to comply with this law.

Anyone suspecting a gas leak should:

1. Quickly open nearby doors and windows and then leave the building immediately; do not attempt to locate the leak. Do not turn on or off any electrical appliances, do not smoke or light matches or lighters, and do not use a house-phone or cell-phone within the building;

2. After leaving the building, from a safe distance away from the building, call **911** immediately to report the suspected gas leak;
3. After calling **911**, call the gas service provider for this building.

Gas restoration should always be completed by a licensed plumber. For some information for property owners to understand the steps towards restoration, visit HPD's website at [www.nyc.gov](http://www.nyc.gov) and search Gas.



## J. Stove Knob Covers

**O**wners of a tenant-occupied multiple dwelling must provide stove knob covers for gas-powered stoves where the owner knows or reasonably should know that a child under six years of age resides. Households can forgo stove knob covers through written refusal to the landlord. Owners must also provide stove knob covers in a unit without a child under six years of age if the tenant

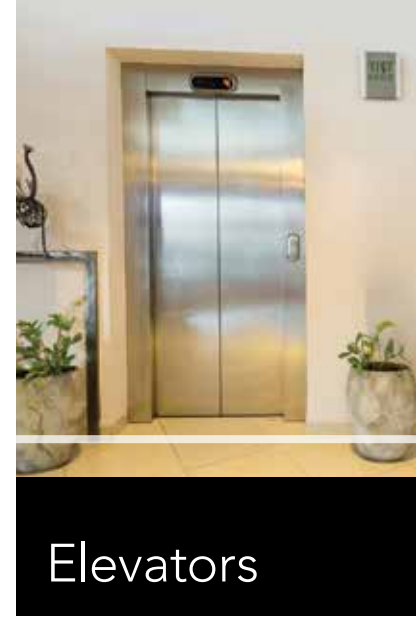
requests them. In addition, the owner is required to provide tenants with an annual notice that outlines the owner's obligation as highlighted in the law. To learn more about additional requirements and to obtain a sample notice, please visit HPD's Stove Knob Covers landing page at <https://www1.nyc.gov/site/hpd/owners/stove-knob-covers.page>.

## K. Elevators

**T**he NYC Department of Buildings' Elevator Division oversees the use and operation of elevators in NYC buildings by enforcing the New York City Building Code and other standards. Call or go online to **311** to file a complaint if the elevator is not working properly. Should an immediately hazardous elevator violation not be remedied within the timeframe allowed by DOB,

HPD may seek to correct the condition through its Emergency Repair Program or through other enforcement mechanisms. If Emergency Repair is done, the cost of work may be significantly more expensive than the price the owner could obtain if he/she performs or contracts for the work, due to laws that the city is subject to governing procurement, contracting and wages. The City

will bill the property through the Department of Finance for the cost of the work plus related fees and/or the cost of sending a contractor to attempt to make repairs. If the owner fails to pay, the City will file a lien against the property. The tax lien will bear interest and may be sold and/or foreclosed to collect the amount owed.



## Elevators

## L. Illegal Basement and Cellar Occupancy

**B**asements and cellars are very different spaces and thus have different legal uses. A basement is a story of a building partly below curb level but with at least one-half of its height above the curb level. A cellar is an enclosed space having more than one-half of its height below curb level. Basements and cellars of multiple dwellings may not be occupied unless the conditions meet the minimum requirements for light, air, sanitation, and egress, and have been approved by the City's Department of Buildings. Cellars in one and two-family homes can

NEVER be lawfully rented or occupied for residential use. Basements in one- and two-family homes can NEVER be lawfully rented or occupied for residential use unless the conditions have received approval by the Department of Buildings.

Owners with illegally converted basements and cellars may face civil and criminal penalties.

Occupants of illegal basement and cellar apartments face potential dangers such as carbon monoxide poisoning, inadequate light and

ventilation, and inadequate egress in the event of a fire.

Occupants of illegal basement and cellar apartments may be ordered by the City to vacate or leave any such apartment.

Complaints regarding illegal cellars or basements should be directed to **311**, which will forward the complaint to the New York City Department of Buildings (DOB). For more information, please refer to DOB's website at [nyc.gov/buildings](http://nyc.gov/buildings).



## Illegal Basement & Cellar Occupancy



## II. Complaints, Violations and Enforcement

Property Registration is required annually for all residential buildings with 3 or more residential units and for 1-2 family homes if neither the owner nor the owner’s immediate family reside at the property. Registration information is used to contact property owners about complaints received by HPD and violations issued by HPD, as well as by other city agencies should emergencies occur at a property. For more details about how to register, property owners should go to [www.nyc.gov/hpd](http://www.nyc.gov/hpd) and search Property Registration.

### A. HPD Complaint Process

Tenants may file a complaint with HPD by calling 311, using TTY 212-504-4115, or by using 311 online ([nyc.gov/311](http://nyc.gov/311)) 24-hours-a-day, seven-days-per-week. Complaints regarding heat and hot water may also be filed through the 311 mobile app.

After a tenant files a complaint with 311 about a housing condition, 311 forwards the complaint to HPD. A notification call and/or email is made to the registered owner. The notification is made to advise the owner of the problem only, and never closes the complaint. (Note to owners: if you are not properly registered, you may miss this important notification from HPD!) A call may also be made to the tenant to confirm whether the condition has been corrected. If there is no confirmation of correction by the tenant, an inspector may be dispatched.



In addition to responding to the complaint, HPD will always inspect for nine safety issues:

- The presence of operational smoke detectors.
- The presence of operational carbon monoxide detectors.
- Illegal gates on the windows.
- Door locks that require a key to exit.
- Window guards if a child under age 11 is resides in the unit.
- Self-closing dwelling unit entrance doors.
- Peeling paint if child under age six is resides in the unit.
- Mold.
- Mice, cockroaches, and rats.

### B. Violations

If HPD inspectors issue violations, the time the owner is given to correct them depends on their severity. You can see all violations on a building on HPD’s website through [HPDONLINE](http://HPDONLINE). HPD will mail a Notice of Violation to the business address of the managing agent registered with HPD (or to owner directly if there is no managing agent). If the owner has supplied an email with their Property Registration, HPD will also email information about the violations to the owner. The Housing Maintenance Code has three classes of code violations: A, B and C.

Violation Class	Type	Time owner has to correct from notice before civil penalties begin to accrue
Class A	Non-Hazardous	<b>90 Days</b>
Class B	Hazardous	<b>30 Days</b>
Class C: Lead-Based Paint, Windows Guards, Mold, Mice/Cockroaches, and Rats	Immediately Hazardous	<b>21 Days</b>
Class C: Heat and Hot Water Violations	Immediately Hazardous	<b>Immediately</b>
Class C: (all others)	Immediately Hazardous	<b>24 Hours</b>

Once a violation condition has been corrected, it is the property owner’s responsibility to notify HPD that the condition has been corrected through the certification process. Currently registered Owners/Agents can certify violations as corrected through eCertification or by completing the violation documents mailed to the owner. To find out more about eCertification, the owner can go online to [www.nyc.gov/hpd](http://www.nyc.gov/hpd).

Failure to correct violations may also result in civil penalties imposed by the Housing Court. For more information on penalties and inspection fees, go to [www.nyc.gov/hpd](http://www.nyc.gov/hpd).

### C. Emergency Repairs

If the owner fails to correct the class C violations, the City may perform or contract for emergency repairs to correct the violation at the owner’s expense. The City is subject to laws governing procurement, contracting, wages, and other matters that may make such work significantly more expensive than the price that the owner could obtain if he/she performs or contracts for the work.

The City will bill the property through the Department of Finance for the cost of the emergency repair plus related fees and/or for the cost of sending a contractor to attempt to make repairs. If the owner fails to pay, the City may file a tax lien against the property. The tax lien will bear interest and may be sold and/or foreclosed to collect the amount owed.

### D. Housing Court

HPD’s Housing Litigation Division initiates cases in Housing Court seeking the correction of conditions and civil penalties where appropriate. HLD seeks correction of heat and hot water violations, files cases seeking the restoration of gas service, and where there are many hazardous violations in a building, HLD may file a comprehensive case seeking the correction of all violations in the building. In these cases, HLD generally seeks to compel the owner to pay civil penalties to HPD for failing to timely correct the violations. HLD may also seek civil penalties in cases where an owner falsely certifies the correction of violations and may seek access warrants in order to permit HPD’s Emergency Operations Division or Special Enforcement to correct immediately hazardous violations when HPD has been denied access by a property owner. In addition to seeking correction of violations, HLD may seek the enforcement of orders, such as Orders to Repair/Vacate Orders or Orders issued by the Alternative Enforcement or Underlying Conditions Programs. HLD also may file a case seeking the appointment of a 7-A administrator if a property owner has completely failed to maintain a property and the conditions in a building are dangerous to life, health and safety of the tenants.

Housing Court is also the forum where building owners and tenants resolve many of their legal disputes. Tenants in privately-owned buildings who have apartment maintenance problems or who have been harassed by the property owner may initiate legal action in Housing Court. This action is referred to as a Tenant Action or HP Action. When tenants go to the Housing Court, they will be assisted in preparing an Order to Show Cause and obtaining a date to return to





court for the case to be heard. When the tenant files a HP case, the tenant will be permitted to fill out an inspection request form in order to obtain an inspection of the conditions before the Court date. The tenants are given instructions about how to serve the Order to Show Cause on both the owner and HPD. On the date that the case is returnable in Court, the tenant and the owner each get an opportunity to present their positions with an HPD attorney present. If the judge believes that violations exist in the building, the judge may order the owner to correct them within a specified time frame. If the owner fails to comply with the order, the tenant may return to court to seek civil penalties or contempt of court. Judges may penalize owners who refuse to repair violations after being ordered to correct them. Filing a HP case is a safer and faster way to address your housing issues and protect your rights than withholding of rent, which may lead to eviction. Information on how to obtain legal services can be found in the Tenant Resources section of this booklet.

### E. New York State Homes and Community Renewal (HCR)

In addition to calling HPD to report code violations, tenants in rent-regulated apartments who have problems with their building conditions may contact HCR and file complaints. After obtaining evidence from owners and tenants, HCR can issue written orders that can lower rents for lack of services.

Tenants can find out if their apartment has been registered as rent stabilized by calling NYS HCR at 718-739-6400 or by sending an email to [rentinfo@nyshcr.org](mailto:rentinfo@nyshcr.org).

Regulated tenants can also complete a form describing decreased service conditions inside and outside their units on the HCR website: <http://www.nyshcr.org/Forms/Rent/>.



### F. Alternative Enforcement Program (AEP)

The Alternative Enforcement Program (AEP) is an enhanced enforcement program. HPD identifies distressed multiple dwellings (criteria are in the law) for special attention, including the imposition of fees, the issuance of Orders to Correct and the authority to replace building systems if the owner fails to act. Each year HPD designates 250 different multiple dwellings for participation in the AEP. Property owners can avoid AEP by correcting and certifying violations in a timely manner. For more information on AEP, go to HPD's website at <http://www1.nyc.gov/site/hpd/owners/AEP.page> or obtain a Frequently Asked Questions brochure at any Code Enforcement Borough Office (see location information at the end of this document).

### G. Proactive Preservation Initiative (PPI)

HPD's Proactive Preservation Initiative (PPI) is an aggressive approach to identify and address substandard physical conditions in multifamily buildings before they reach a state that endangers the health and safety of residents and threatens the quality of the surrounding neighborhood. Through the PPI, HPD identifies troubled buildings preemptively and, through a variety of programs, provides the tools or incentives to owners to address housing quality issues. Every year, HPD will evaluate approximately 500 distressed buildings with the goal of putting them on a path to stability. HPD will survey the buildings to evaluate needs, and will actively reach out to help owners address at-risk buildings. In buildings that exhibit serious physical distress, HPD's Proactive Enforcement Bureau will conduct roof-to-cellar inspections. For buildings with non-emergency distress, HPD will devise appropriate, individualized strategies to help ensure that conditions improve. Actions can include giving low-cost repair loans, financial counseling and referrals, as well as more aggressive actions involving Housing Maintenance Code enforcement and litigation.

### III. Harassment

Harassment by an owner to force tenants out of their apartments, or to surrender their rights is illegal. Examples may include:

- Not offering leases, lease renewals, or repeatedly trying to pay you to move out of your home or to give up your rights (“a buyout”).
- Offering you a buyout:
  - While threatening you, intimidating you or using obscene language.
  - By contacting you at your place of employment without obtaining your written permission.
  - While providing false information in connection with the buyout offer.
- Contacting you about a buyout unless they provide you with the following information in writing:
  - The purpose of the contact and that the contact is on behalf of the owner.
  - That you can reject the offer and continue to live in your home.
  - That you have the right to seek advice from a lawyer and may seek information on the HPD website about legal services.
  - That, if you advise the owner in writing that you do not want to be contacted about any buyout offer, the owner cannot contact you about it for 180 days unless you advise the owner in writing at some earlier time that you are interested in discussing a buyout or unless the court permits the owner to discuss a buyout offer with you.
- Contacting you about a buyout offer prior to the 180 days, after you have notified the owner in writing that you do not want to be contacted about it.
- Unjustified eviction notices or illegal lockouts.
- Threats and intimidation, such as late-night phone calls including phone calls to encourage or ask you to move out of your home or give up your rights.
- Overcharging for a rent-regulated apartment.
- Failure to provide necessary repairs or utilities.
- Deliberately causing construction-related problems for tenants, such as working after hours, blocking entrances, or failing to remove excessive dust and debris.
- Improperly requiring you to seek, receive, or refrain from submitting to medical treatment.

Both the conditions themselves and the harassment that is being caused by a property owner's failure to provide necessary repairs or utilities should be reported at HPD's Tenant Anti-Harassment Unit (TAHU) by calling 311. TAHU will attempt to contact tenants and/or conduct inspections in response to these complaints.

Tenants in rent-controlled or rent-stabilized units who believe that their landlords are harassing them may contact NYS Homes and Community Renewal (HCR). HCR enforces housing laws in rent-regulated units and may levy fines against owners found guilty of harassment. Information is available at [nysocr.org](http://nysocr.org) or 1-866-ASK-DHCR (1-866-275-3427).

Tenants may contact The Office of Tenant Advocate (OTA), established by Local Law 161 of 2017. This office serves as a resource to tenants who are affected by work in occupied multiple dwellings. Tenants may contact OTA with comments, questions and complaints concerning construction in occupied multiple dwellings. Tenants may also contact OTA if they have questions or concerns related to Tenant Protection Plans. You may contact the Tenant Advocate at (212) 393-2949 or [TenantAdvocate@buildings.nyc.gov](mailto:TenantAdvocate@buildings.nyc.gov).



Tenants may have basis to bring legal action against the owner in Housing Court if there is harassment. Tenants may want to consult with or retain an attorney before initiating any lawsuit. See the previous page of this document for information about free and low-cost legal assistance or contact your local housing organization, community board, or elected official. The creation of dangerous conditions (such as unsafe construction) or lack of services (such as no heat/hot water or removing bathroom facilities and not replacing them timely) should be reported through **311**. Tenants can then use the reporting of this complaint, and any subsequent violations that are issued, to support either a Housing Court or HCD action.

Tenants can also file complaints directly with the Tenant Harassment Prevention Task Force by sending an email to [THPT@hpd.nyc.gov](mailto:THPT@hpd.nyc.gov) if the harassment takes the form of construction or lack of basic services. The Tenant Harassment Prevention Task Force (THPT) was created to investigate and bring enforcement actions against landlords who harass tenants by creating unsafe living conditions through illegal construction. The Task Force is a collaboration of the City agencies, including HPD and the NYC Department of Buildings, the Office of the NYS Attorney General, and the NYS Homes and Community Renewal. As needed, the THPT may conduct joint inspections, issue violations and orders, and initiate additional enforcement action with the Attorney General's office, the District Attorney's office, and the NYC Homes and Community Renewals' Tenant Protection Unit, and CONH.

Local Law 1 of 2018 (effective September 28, 2018) has established a three-year pilot program which requires owners of certain buildings to obtain a Certification of No Harassment (CONH) prior to acquiring permits from the Department of Buildings for work involving demolition or change in use/occupancy. As set forth in the law, buildings with high levels of physical distress or ownership changes in certain targeted areas of the City will be placed on a building list. To learn more about the CONH Pilot Program, and to see a listing of the buildings affected by the law, please visit: <https://www1.nyc.gov/site/hpd/owners/certification-of-no-harassment.page>. Issues such as the above may be directed to legal services or legal counsel.

If you are feeling threatened regarding your immigration status, please call the NY State Immigration Hotline in the NYS Office for New Americans at **1-800-566-7636** and you will be connected to the right organization to assist you.

## IV. Tenant Resources

### A. Initiating a Case in Housing Court

Tenants may choose to initiate legal action or seek assistance from HCR against property owners who fail to correct conditions or for harassment. Tenants can obtain assistance with bringing these cases or filing with HCR through the following legal services providers:

- The Legal Aid Society: 212-577-3300
- Legal Services NYC: 917-661-4500
- Urban Justice Center: 646-459-3017
- Or you can also dial 311 for more information, or go to [nyc.gov/311](https://nyc.gov/311) or [nyc.gov/hpd](https://nyc.gov/hpd).

The Housing Court Answers (HCA) hotline also provides information about Court procedures, landlord/tenant rules and regulations, enforcement of housing code violations, referrals for free legal help, and referrals to community organizations that help with housing problems. They are open from 9am to 5pm, Monday through Thursday, and can be reached at **212-962-4795**.



## B. Eviction Prevention

**Non-payment Eviction Proceedings:** The only legal way to evict a nonpaying tenant is through a nonpayment eviction proceeding in Housing Court. Building owners must notify the tenant that rent is late, what the balance is, and that, if not paid, the tenant will be evicted. Three days after notice is given or oral demand for the rent is made, the owner may file a nonpayment proceeding in Housing Court and serve papers on the tenant. The tenant must answer the petition in person at the Housing Court Clerk's office. The Clerk will then provide a court date to the tenant. On the court date, the tenant has an opportunity to present his or her defense to a Housing Court Judge. It is advisable for a tenant to consult an attorney whenever eviction proceedings are concerned. Owners must obtain a judgment of possession and "warrant" directing a city marshal to evict the tenant. Tenants may have a defense to a claim for rent in a building which has been illegally altered and/or for which there is no current Certificate of Occupancy indicating that the rented space can be legally occupied.

**Holdover Eviction Proceedings:** An owner may commence a summary proceeding for possession of an apartment for a breach of the lease. If a tenant's lease contains a provision allowing for termination for committing a "nuisance," an owner may undertake eviction proceedings for objectionable conduct. A "nuisance" is generally considered persistent and egregious conduct that threatens the health, safety or comfort of neighboring tenants. To evict, owners must provide evidence proving that the tenant's behavior meets this standard. The landlord must serve a preliminary notice which terminates the lease prior to commencement of the proceeding. The owner may also commence holdover proceedings for other reasons such as illegal sublet, non-primary residence, illegal use, or expiration of lease where no renewal is mandated by law.

### LEGAL SERVICES

There are free legal services for certain low income persons who have been served with Housing Court documents and are in need of assistance to prevent eviction. For more information call 212-577-3300 or 311.

### RENTAL ARREARS

Families and individuals with rent arrears who may be at risk of eviction can apply for NYC HRA's One-Shot Deal rent assistance. Contact HRA's Infoline at 718-557-1399 for more information.

If you receive Cash Assistance/Public Assistance, you may be eligible for help paying your back rent. You should go to your HRA Job Center and speak to someone in the Homelessness Diversion Unit to discuss your situation.

### SENIORS

Seniors who have received a Notice of Eviction or a written notice from their landlord can get eviction prevention assistance and legal referrals. The City also provides eviction assistance for persons over the age of 60 who are mentally or physically impaired. For help, call 311.





## HOMEBASE

Households on the brink of homelessness can access an extensive network of neighborhood-based services, under contract with the NYC Department of Homeless Services, to help them remain in their communities and avoid entering shelter. Among the services that may be offered are:

- Family or tenant/landlord mediation
- Household budgeting
- Emergency rental assistance
- Job Training and placement
- Benefits advocacy (child care, food stamp, tax credits, public health insurance)

If you or someone you know is experiencing a household crisis, call **311** or visit [311](#) online to locate your nearest HOMEBASE office.

## RENTAL ARREARS GRANTS FOR SINGLE ADULTS AND FAMILIES

The NYC Human Resources Administration (HRA) can assist tenants who have legal possession of an apartment, or applicants who have been evicted but whose landlords are willing to continue renting the apartment, by paying their arrears through a rental arrears grant. Grants are available for Public Assistance recipients and for those people ineligible for Public Assistance. Families and single adults are eligible. Contact HRA's Infoline at **718-557-1399** for more information.

Visit [311](#) online or call **311** to contact the HRA Job Center in your area and apply for a rental arrears grant.

## HOUSING COURT ANSWERS

The Housing Court Answers (HCA) also has a hotline if you need help paying back rent. Call if you have a case in Housing Court and a good reason for falling behind in your rent such as a death in the family, serious illness, loss of job, or reduction in hours at work, if your income is now high enough that you can pay your future rent, and the amount of arrears is "manageable." HCA does not provide direct financial help, but refers callers to charities and provides information about NYC Human Resources Administrations rules for assistance. Staff and volunteers at information tables at all Housing Courts answer questions about court procedures and forms. They can also provide referrals to legal services providers and other eviction prevention organizations, resources, and agencies. Most staff members speak English and Spanish.

## V. Other Housing Issues

### A. Rent Increases in Rent-Regulated Apartments

Owners of rent-stabilized and rent-controlled apartments are required to register rents every year on-line between April 1 and July 31 using HCR's automated system. Owners must also file for increases based on either individual apartments or building-wide improvements. Tenants can contact HCR regarding rent increases due to Rent Guidelines Board approvals, Individual Apartment Improvements (IAI) or Major Capital Improvements (MCI). Tenants can also seek legal counsel for help determining if rent increases are legal. For more information on any of these issues, contact HCR by dialing **718-739-6400** or go online to [nyshcr.org](http://nyshcr.org).

## B. Lease Renewals in Rent-Regulated Apartments

Generally, tenants in rent stabilized units must be offered renewal leases in a form approved by HCR for a term of one or two years, at the tenant's choice, and at a rate set by the Rent Guidelines Board. The owner must give written notice of renewal on a DHCR Renewal Lease form (RLF) by mail or personal delivery not more than 150 days, and not less than 90 days, before the existing lease expires. After the renewal offer is made, the tenant has 60 days to choose a lease term, sign the lease, and return it to the owner. If the tenant does not accept the renewal lease offer within a 60-day period, the owner may refuse to renew the lease and may also proceed in court to evict the tenant after the expiration of the current lease. When a tenant signs the RLF and returns it to the owner, the owner must return the fully signed and dated copy to the tenant within 30 days. A renewal should go into effect on or after the date that it is signed and returned to the tenant, but no earlier than the expiration date of the current lease. In general, the lease and any rent increase may not be retroactive.

## C. Certificate of Occupancy and Rent Payments

Tenants may have a defense to a claim for rent in a building which has been illegally altered and/or for which there is no current Certificate of Occupancy indicating that the rented space can be legally occupied. Each tenant has a specific set of circumstances and tenants should always seek legal counsel to ensure that their rights are protected instead of just deciding not to pay rent.

## D. Building Safety

Tenants should notify their building owners and the police of any illegal activity in their building. Owners should alert the police to illegal activity in their building. To secure buildings from drug dealers and vandals, the building manager, superintendent or owner should immediately repair broken locks or intercoms.



For more information on how to improve safety in multiple dwellings, watch HPD's video on this topic at [www.nyc.gov/hpd](http://www.nyc.gov/hpd).

## E. Emergency Planning and Evacuations for Residential Building Owners/Managers

### BUILDING EMERGENCIES AND EVACUATIONS

Building owners and managers are encouraged to consider and address emergency preparedness issues with building residents, as well as building staff. This includes the following key elements:

- **The New York City Fire Code requires that all owners of apartment buildings prepare and distribute a fire and non-fire emergency preparedness guide and post certain notices.** The guides provide detailed information to residents and reference websites that contain additional information and can be found at <https://www1.nyc.gov/assets/fdny/downloads/pdf/business/plan-review-fire-safety-guide-fire-safety-notice.pdf>.
- **Residents with disabilities or with access and functional needs should advise building owners about any policy consideration they may need in an emergency situation;** for example, if they need to be informed if elevators are to be taken out of service. Owners/managers should be prepared to address these requests. Building residents with disabilities or with access or functional needs are also encouraged to develop their own plan and support network in the event of a building evacuation. In a fire (the most likely circumstance in which

immediate evacuation may be required), building staff (will also be required to evacuate) and may not be in close proximity and/or able to provide assistance to all building residents. Evacuation plans should consider not only disruption to elevator service, but also the impact of prolonged power and water outages. Building residents should also inform the building management if they have a particular need—especially if they use a wheelchair or other mobility device in a high-rise building or are unable to hear alarms. Evacuation devices are an option, especially for prolonged outages although individualized planning is required. Points to consider regarding these devices can be found on the Emergency Preparedness Resources page of the Mayor’s Office for Persons with Disabilities website at [www.nyc.gov/MOPD](http://www.nyc.gov/MOPD).



- **Clear communication between owners and occupants will enhance the safety of all building residents and staff during an emergency.** Owners/managers should evaluate their capability to communicate critical information to all building occupants through the use of building systems (such as intercoms and fire alarm systems), email or text messaging. Building staff (if any) and building owners/managers need to be able to reliably communicate with each other as well. Consideration should be given to establishing alternative means of communication in the event of a power outage or other disruption of regular telephone communications. Owners should also include an accurate 24-hour confidential phone number when registering their building with HPD so they can reach you with important information during an emergency. Owners are required to post a temporary notice with emergency information in the common area of the building prior to an expected weather emergency, after a natural disaster, and after being informed that a utility outage will last for more than 24 hours. Owners should also consider posting the notices on each floor or messaging residents directly. You can obtain a sample of the notice on HPD’s website at [www.nyc.gov/hpd](http://www.nyc.gov/hpd).
- **Building owners/managers and/or building staff should monitor emergency notification systems** operated by the New York City Department of Emergency Management, the New York City Police Department, and/or private notification systems to stay informed about emergencies that may affect their building(s). This will allow building owners an opportunity to take whatever actions may be appropriate to protect their residents and safeguard their property.
- **Elevator Notifications:** Owners and managers should communicate their building’s elevator policy to residents, particularly those reliant on elevators in advance of an emergency. Owners are encouraged to keep elevators in use as long as possible and not take them out of service until just prior to landfall of a storm or an evacuation.
- **Building owners/managers should review the Fire Department’s NYC Apartment Building Emergency Preparedness Guide (and other public and private resources) and consider how their building staff should respond to each type of emergency addressed in the guide.** Written protocols can assist to remind on-premises staff of what actions or notifications to take in the event of an emergency, including appropriate communications to 911, owners/managers and building residents. Building staff should be trained to facilitate the response of EMS and other first responders to a medical emergency in the building, (such as recalling or holding an elevator, advising first responders and escorting the first responders to building residents needing assistance). Building owners/managers are encouraged to check on building residents who have identified themselves in advance as requiring assistance, before and after an emergency event to see they are in need of assistance.
- Building owners/managers should provide emergency preparedness information on the same schedule as the fire and emergency preparedness guide required by the Fire Department including at the time of lease signing. Periodically conducting emergency preparedness training in the building(s) is also recommended. Planning materials are available at <http://www1.nyc.gov/site/em/ready/guides-resources.page> and hard copies are available free of charge.

## F. Discrimination

Under local, state and federal law, property owners and their representatives (be they employees of the ownership entity, real estate brokerage firms, management firms, or agents etc.), may not deny housing to prospective tenants on the basis of race, color, religion/creed, national origin, gender (including sexual harassment), gender identity, age, marital or partnership status, disability, alienage or citizenship status, legal occupation, or lawful source of income. Furthermore, tenants may not be denied housing because they have children. Fair Housing NYC—a joint effort by HPD and the NYC Commission on Human Rights (CHR)—provides information on the protected classes under the City Human Rights Law, who can be held liable for housing discrimination, how to file a housing discrimination complaint, affordable housing opportunities, the difference between fair housing rights and tenants rights, and going to housing court. The Fair Housing NYC website, <http://www.nyc.gov/html/fhnyc/html/home/home.shtml>, also provides resource information, multi-lingual downloadable materials, and notice of upcoming fair housing events open to the public. Tenants who believe they have experienced housing discrimination may file complaints within one year of the incident by calling **311** and being directed to the New York City Commission on Human Rights (CHR).



If you have been trying to buy or rent a home or apartment and you believe your civil rights have been violated, you may file a complaint with the Law Enforcement Bureau of the NYC Commission on Human Rights (CHR), located at 22 Reade Street, New York, NY 10007, in lower Manhattan. Commission services are free of charge. Your housing discrimination complaint will be reviewed by a fair housing specialist to determine if it alleges acts that might violate the Fair Housing Act. If your complaint involves a possible violation of the Act, the specialist will assist you in filing an official housing discrimination complaint. The NYC Human Rights Law requires that the complaint be filed within one year of the last alleged act of discrimination. To schedule an appointment, please call **311** (or **212-NEW-YORK** or **212-306-7450**).

## G. Foreclosure

The Center for New York City Neighborhoods (CNYCN) provides referrals to legal services, housing counseling, and consumer education to New York City residents in danger of foreclosure. For more information please go to <https://cnycn.org>, or call **311** or **646-786-0888**.

## H. Tenant Associations

Real Property Law Sec. 230 protects tenants who want to organize a tenant association for the purposes of protecting their rights to repairs, services, etc. Tenants may form, join, and participate in tenant organizations to protect their rights. Landlords must permit tenant organizations to meet, at no cost, in any community or social room in the building, even if the use of the room is normally subject to a fee. Tenant organization meetings are required to be held at reasonable times and in a peaceful manner which does not obstruct access to the premises. Landlords are prohibited from harassing or retaliating against tenants who exercise their rights.

## I. Pets

Unless the pet can be considered a “service animal” used by blind, deaf or disabled people, whether pets are permitted is at the discretion of the building owner and is usually stipulated in the lease. If a tenant keeps a pet in the apartment without the building owner’s permission, it may be considered a serious violation of the lease and may be a basis for terminating tenancy. In addition, many animals cannot be kept legally as pets in the City of New York. For more information on pet regulations, call **311** to reach the DOHMH.



## VI. Housing Education

HPD's Neighborhood Education and Outreach (NEO) offers free in-person classes, E-learning classes, and audio podcasts and videos on a variety of topics of interest to both tenants and owners, including:



- Heat and Hot Water Requirements
- Mold and other Healthy Homes issues
- Bedbug Infestation Detection and Management
- Lead-Based Paint Management
- Increasing safety in your apartment house
- How the HPD/HDC Housing Lotteries work to allocate new construction affordable apartments
- Housing Code Violation Removal Processes
- First Time Homeownership

Please check online at <http://www1.nyc.gov/site/hpd/community/online-digital-library.page> for a full catalogue of offerings. E-learning classes are interactive sessions that can take as little as 30 minutes and our many informative podcasts are just a few minutes long. NEO also works with elected officials and non-profit community organizations to sponsor Landlord/Owner and Tenant Housing Fairs in every borough. To see upcoming events, please call 212-863-8830 or go to the HPD events page at <http://www1.nyc.gov/site/hpd/about/events.page>.

## Resources for Affordable Housing Seekers

### I. Housing Lotteries

Subsidized apartments are offered for rent through an Open Lottery system to ensure fair and equitable distribution of housing to eligible applicants. NYC Housing Connect ([nyc.gov/housingconnect](http://nyc.gov/housingconnect)) offers a simple and secure online application option in multiple languages. Users of NYC Housing Connect are able to view current housing lotteries, sign up for alerts about new projects, fill out a single online profile, and apply to and track multiple lotteries.

Prospective renters can also find out about these units by looking for ads in citywide and local publications, as well as on HPD's website [nyc.gov/hpd/findhousing](http://nyc.gov/hpd/findhousing). The ads, available in print and online via Housing Connect and HPD's website, contain instructions on how to apply online or via paper, as well as the income and household size requirements for the subsidized units. Income limits can vary between developments. Ads also contain information on set-asides and preferences for selection.

After a lottery deadline, applications are randomized and assigned log numbers. Developers use this randomized log to conduct applicant screening. It is important to note that due to the high volume of applications submitted, applicants may not hear back for several months, and may not hear back at all. In addition, there are typically eight months or more between the building's application deadline and move-in.

HPD now publishes an informative video series on the affordable housing lottery process. The first video in the series, "Applying to a New York City Affordable Housing Lottery: Video Guide," or <https://www.youtube.com/watch?v=F0Dht0LhP7c&feature=youtube>.

The video gives an overview of the application process that explains what applicants can expect to experience during the application process for HPD or HDC's affordable housing lotteries. The video includes instructions on how to find advertisements for new lotteries, reminds applicants to check the income limits and deadline dates, and dispels common misconceptions. The video is currently available in English and will soon be available in multiple languages.

### HOUSING AMBASSADORS

HPD's Housing Ambassador Program is a network of community-based service providers for New Yorkers applying to affordable housing. They provide up-to-date, consistent information and assistance about the application process. They also provide financial counseling. We encourage people to contact them for guidance.

For more information on the network of Housing Ambassadors, who are located throughout the city, visit [www.nyc.gov/housing-ambassadors](http://www.nyc.gov/housing-ambassadors).



## II. Rent Increase Exemption



Tenants who qualify for the Senior Citizen Rent Increase Exemption (SCRIE) Program or the Disability Rent Increase Exemption (DRIE) Program can have their rent frozen at their current level and be exempt from future rent increases.

For both programs, the total annual household income must be \$50,000 or less, the applicant must pay more than one-third of the household's total monthly income for rent, and rent an apartment that is regulated by Homes and Community Renewal (HCR) (i.e., Rent-controlled or rent stabilized apartments or hotel stabilized). (HPD administers SCRIE for the non-rent stabilized projects, such as Mitchell Lama rentals/cooperatives and HDFC cooperatives.)

For SCRIE eligibility, the applicant must be at least 62 years old. To be DRIE eligible, the applicant must be at least 18 and receive Federal Supplemental Security Income (SSI), Federal Social Security Disability Insurance (SSDI), U.S. Department of Veterans Affairs disability pension or compensation, or Disability-related Medicaid if the applicant has received either SSI or SSDI in the past; and be named on the lease or rent order or have been granted succession rights to the apartment.

For more information, download "Your Guide to the SCRIE and DRIE Programs" at [nyc.gov/finance](http://nyc.gov/finance). You may also apply online via AccessNYC. After you apply online you must mail all required documents. Or you can walk in to the Department of Finance office at 66 John Street, NY, NY 10038.

# Resources for Owners

## I. Division of Neighborhood Preservation (DNP)

HPD's Division of Neighborhood Preservation (DNP) understands the challenges with managing and maintaining residential property. Every building has its own financial, physical and management challenges, and property is one the biggest investments that a small property owner will ever make. DNP offers short and long term one-on-one counseling tailored to a building's specific needs. DNP can help a property owner to:

- Understand the requirements in the Housing Maintenance Code (HMC) for properly maintaining property so that the property will provide safe housing for all tenants. Technical staff knowledgeable about HMC requirements can walk through the property to provide guidance on addressing building conditions according to the Housing Maintenance Code **before** violations are issued.
- Navigate the processes related to violation dismissal.
- Understand how to pay for Emergency Repair charges, HPD fees and other municipal charges.
- Become aware of the numerous loans, grants and tax abatements or exemptions that can help maintain the property, especially when a property has significant physical or financial needs. This will be based on the specific type of building and the physical needs of the property.



## II. Low Interest Loans or Tax Exemptions

HPD's Office of Development administers multiple financing programs that provide low interest loans and/or property tax exemptions to facilitate the physical and financial sustainability and affordability of privately-owned multifamily and owner-occupied buildings. Programs are available for buildings of all sizes and with various needs. For information about financial assistance for owners, visit [nyc.gov/letsinvest](https://nyc.gov/letsinvest).





## Useful Contact Information for Other Housing-Related Issues

**NYC Department of Buildings:** 311

**NYC Residential Mortgage Insurance Corporation:** 212-227-5500

**HPD Registration Assistance Unit** 212-863-7000 [register@hpd.nyc.gov](mailto:register@hpd.nyc.gov)

**NYC Commission on Human Rights:** [www.nyc.gov/cchr](http://www.nyc.gov/cchr) or call 311. See Section V-D on Housing Discrimination for more information.

**311** is New York City's phone number for government information and services. All calls to **311** Customer Contact Center are answered by an operator, 24-hours-a-day, seven-days-a-week, and information is provided in over 170 languages. Dial **311** from within the City or **212-NEW YORK** when outside of the five boroughs or use the on-line option of [nyc.gov/311.TTY](http://nyc.gov/311.TTY) service is available at **212-504-4115**. You can also use the **NYE 311** Mobile App for some services.

**The New York City Council** welcomes any question, comments or feedback. Call **311** or go to [council.nyc.gov](http://council.nyc.gov) to find the members of New York City Council and the areas they cover. You can search by address to find you member and their contact information.

**New York State Attorney General** can be contacted for information on rights and obligations of building owners, tenants and real estate brokers. The Information and Complaint Line is **1-800-771-7755**.

**NYS Division of Homes and Community Renewal (NYSHCR)** can be contacted for information on rent and services for rent controlled and rent stabilized apartments. The information and complaint line is **1-866-ASK-DHCR (1-866-275-3427)**.

**NYC Mayor's Office for Persons with Disabilities (MOPD)** works to assure that City programs and policies address the needs of peoples with disabilities and offers informative brochures and directories that detail programs, services, activities and other resources that are accessible to people with disabilities. The MOPD can be found at 100 Gold Street, 2nd Floor, New York, NY 10038 or by calling **311**, **212-NEW YORK (OUT OF THE CITY)** or **711** (Relay Service for Deaf/Hard of Hearing).

**The Office of the Public Advocate** assists with complaints and inquiries involving government-related services and regulations. From resolving housing complaints to combating abuse by agencies, the Office helps thousands of New Yorkers annually by improving transparency and accountability of City government. You can access the Public Advocate's Constituent Help Desk Intake Form at <http://pubadvocate.nyc.gov/constituent-help-desk> or contact the Office of the Public Advocate by phone at **212-669-7250**.

# HPD Borough Offices



## BROOKLYN

**Brooklyn, Queens & Staten Island/Neighborhood Preservation Office**  
718-802-4503

**Code Enforcement Office**  
212-863-8060  
210 Joralemon Street  
Brooklyn, NY 11201

**Code Enforcement Office**  
212-863-6620  
701 Euclid Avenue  
1st Floor  
Brooklyn, NY 11208

## BRONX

**Neighborhood Preservation Office**  
212-863-7100

**Code Enforcement Office**  
212-863-7050  
1932 Arthur Avenue  
3rd Floor  
Bronx, NY 10457

## MANHATTAN

**Neighborhood Preservation Office**  
212-863-7100  
Thursdays only 9am to 4 pm

**Code Enforcement Office**  
212-863-5030  
94 Old Broadway  
7th Floor  
New York, NY 10027

## QUEENS

**Code Enforcement Office**  
212-863-5990  
120-55 Queens Blvd.  
Queens Borough Hall  
Kew Gardens, NY 11424

## STATEN ISLAND

**Code Enforcement Services**  
212-863-8100  
Staten Island Borough Hall  
Staten Island, NY 10301

## LEAD BASED PAINT INSPECTION PROGRAM

212-863-5501

## ALL OFFICES SERVICE THE PUBLIC:

Monday to Friday  
9am to 4pm  
Except Manhattan NPO

# New York State Homes and Community Renewal (HCR) Borough Offices



Rent-regulated tenants can get more information and file complaints by going to one of the NYSHCR borough offices.

## BROOKLYN

55 Hanson Place  
5th Floor  
(near Atlantic Terminal)

## BRONX

2400 Halsey Street  
(near Zerega Avenue)

## MANHATTAN

25 Beaver Street  
(near Broad Street)  
  
163 W. 125th Street  
5th Floor  
(near Seventh Avenue)

## QUEENS

Gertz Plaza  
92-31 Union Hall Street  
(near Jamaica Avenue)

# Housing Information Guide Signage Sample

Local Law 45 of 2014 of the New York City Administrative Code, Section 26-1103, requires posting the notice below regarding the availability of this housing information guide—the *ABCs of Housing*—for tenants and owners. This notice must be in a conspicuous place within view of the area to which mail is delivered in a multiple dwelling. Inspectors will be verifying that the signage is appropriately posted on all inspections. Failure to post the notice will result in a class A violation, and a civil penalty of \$250 may be imposed.

## **HOUSING INFORMATION GUIDE FOR TENANTS AND OWNERS**

A housing information guide, the *ABCs of Housing*, is available on the New York City Department of Housing Preservation and Development's website at [www.nyc.gov/hpd](http://www.nyc.gov/hpd). This guide is also available in print by calling 311.

The guide contains information about the following topics:

- Eviction
- Heat and hot water
- Pest management
- Tenant organizations
- Rent-regulated leases
- Rental assistance for elderly or disabled tenants
- Housing discrimination
- Repairs and maintenance
- Tenant response to owner notifications
- Access for owner inspections and repair
- Free and low-cost legal services

## **GUÍA DE INFORMACIÓN DE VIVIENDA PARA INQUILINOS Y DUEÑOS**

Un guía de información de vivienda los "ABCs de Vivienda" está disponible en la página web del Departamento de Preservación de Viviendas y Desarrollo de la Ciudad de Nueva York en [www.nyc.gov/hpd](http://www.nyc.gov/hpd). Este guía imprimido también está disponible llamando al 311.

El guía contiene información sobre los siguientes temas:

- Desalojo
- Calefacción y agua caliente
- Manejo de plagas
- Organización de inquilinos
- Alquilar de arrendamientos regulados
- Asistencia de alquiler para ancianos o inquilinos deshabilitados
- Discriminación de vivienda
- Reparaciones y mantenimiento
- Respuesta de Inquilinos a notificaciones del dueño
- Acceso para inspecciones de dueños para reparaciones
- Servicios legales gratis y a bajo costo



# ABCs

OF HOUSING

[www.nyc.gov/hpd](http://www.nyc.gov/hpd)