

MENU

# NYC HPD Violations: Clearing Your Violations



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New York City's HPD has a clear goal: to ensure safe housing for all of New York City's residents. Sometimes, however, even the most contentious landlord may fall behind and experience problems with their buildings. If you've received an HPD violation, clearing it as soon as possible is the best way to make sure that your status as a landlord doesn't suffer as a result.

## The First Steps

When you receive a violation, your first step is to ensure that you complete the necessary repairs. For Class A repairs—those that are non-hazardous—you have 90 days to complete repairs to your building. Class B repairs, which are typically hazardous over time, receive 30 days. For Class C violations, you'll need to check the type of violation: lead-based paint must be fixed within 21 days, as must window guards, while a lack of heat or hot water must be fixed immediately. All other Class C violations must be fixed within 24 hours of receiving the violation.

## Appealing Violations

The only HPD violation that is subject to appeal is a Class C lead-based paint violation. In some cases, it may be assumed that the building has lead paint. In this case, it is reasonable to submit a paint chip for analysis and then submit that analysis to the HPD as an appeal. Also note that in some cases, you can request additional time in order to fix a lead paint violation.

## Making Sure Your Building is Violation Free

Once you've had an HPD violation, you'll want to keep an eye on your properties to make sure that they don't have future issues. Potential tenants may also wish to check on your property. To make sure everything has cleared properly, using this lookup tool will allow you to check on the status of your property. If you have a violation on your property for which you were not issued an NOV (notice of violation), it's important to make sure that your property registration is current and accurate so that you will receive relevant information pertaining to it in the future.

### **Failure to Resolve Issues**

If you fail to resolve the issues for which you have been cited in a timely manner, the penalties can add up fast. Class A violations, which are described as non-hazardous, will receive a \$10-\$50 fee if they are not cleared up within 90 days. For Class B violations, you'll receive a fee of \$25-\$100, with an additional \$10 fee per day that the violation is not cleared. Class C violations may receive a fee of between \$50-\$125 per violation per day, depending on the size of the building. Heat and hot water violations receive even larger fees: \$250-\$500 dollars per day for each violation from and including the date the notice is posted at the building until the date the violation is corrected.

This makes it well worth your while as a landlord to ensure that you're able to correct the violations quickly!

### **Certifying Resolved Issues**

Once you've taken steps to resolve the violation, you'll want to make sure that you certify that resolution. As the building's owner, you can create an account on the HPD website. From there, you can fill out the necessary information to certify that the work on the building has been completed and that it is now safe for tenants to reside there once more. The website has a number of benefits: it's free, it's immediate, and it doesn't require you to go out of your

way in order to deliver paperwork. If you prefer to certify your violation's cleanup the old-fashioned way, however, you can fill out this form instead.

Note that *only* an owner, managing agent of the corporation that owns a property, or a party listed as the responsible party for the property may clear a violation. All other applications will be rejected.

## Tenant Rights

Once a violation has been certified as "fixed," tenants have the right to contest the certification by requesting a re-inspection of the property. Note that if you have not fixed the problem and the violation is certified as hazardous, third and subsequent inspections of your property may result in a \$200 fee imposed by the HPD. It's important, therefore, that the violation be fixed completely before certification is issued.

Once you've received an HPD violation, you'll need to make sure you correct the issue as soon as possible. By following these steps, you'll be able to keep your tenants safe and ensure that fees don't start to pile up on your building.

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