

This presentation is for informational purposes only and is not intended as legal advice or as a statement of the law. For more information about what is required, see the Multiple Dwelling Law, Housing Maintenance Code, and the Rules of the City of New York.

# Pests and Mold: An Owners' Guide to Indoor Allergen Laws



# Your Speakers

**Jessica Damour** Trainer, FAR Unit

**Jesse Laufer** Deputy Director, FAR Unit

**HPD's Office of Enforcement and  
Neighborhood Services**

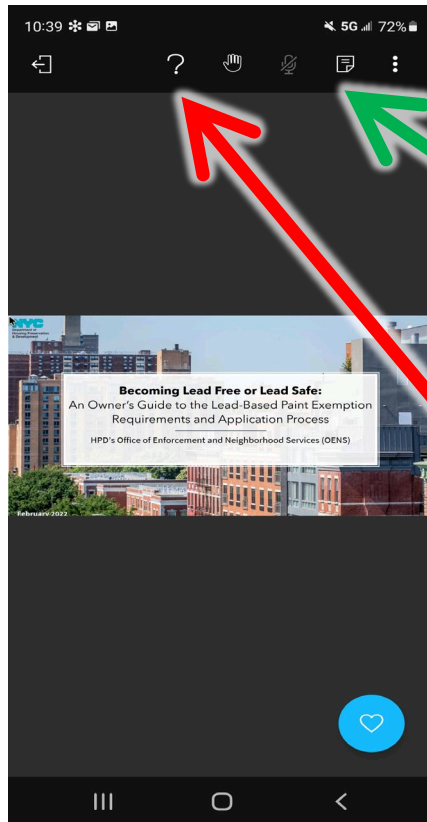
# Quick Tour: Webinar Resources (Desktop)

The image shows a screenshot of the GoToWebinar desktop application interface. On the left side, there is a vertical toolbar with several icons. A green box labeled "Handouts" has a green arrow pointing to the "Handouts" icon in the toolbar. A red box labeled "Questions/Chat" has a red arrow pointing to the "Questions" icon in the toolbar. The main content area on the right shows a menu with the following items: "Audio" (with a dropdown arrow), "View audio options", "Handouts: 5" (with a dropdown arrow), and "Questions" (with a dropdown arrow). Below the menu, the text "NYC Housing Preservation and Developme..." is visible, followed by "Webinar ID: 839-700-915". At the bottom, the GoToWebinar logo and name are displayed. The window title bar at the top shows "File View Help" and standard window control buttons.

# Quick Tour: Webinar Resources (Mobile)

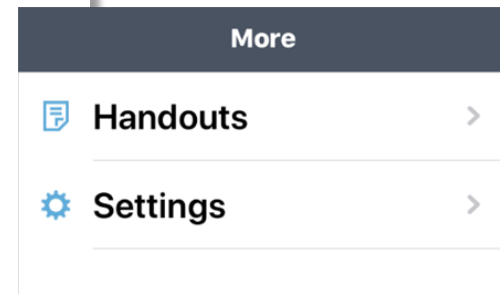
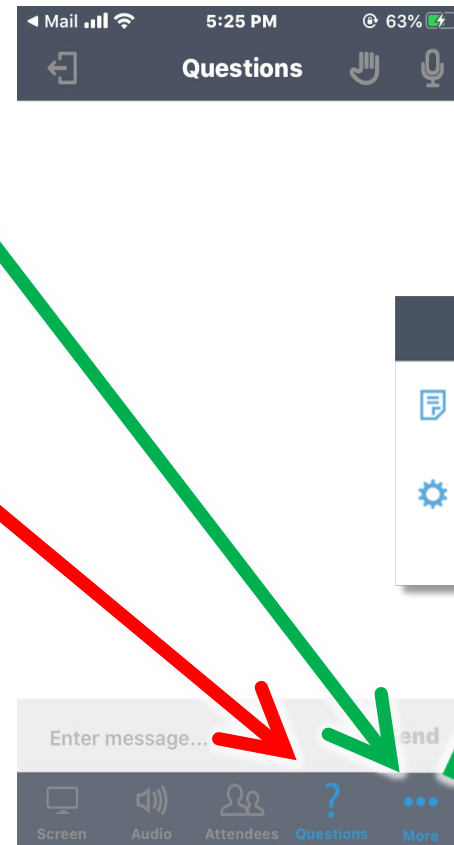
*Android*

*iPhone*



Handouts

Questions/  
Chat



# After the Webinar



Survey at the end



Video recording of this session will be available

For those joining us for the video recording only, you can find all the handouts we reference at the HPD website.

# DISCLAIMER

- This presentation is for informational purposes only and does not constitute legal advice or a statement of the law. For more information about what is required, see the Multiple Dwelling Law, the Housing Maintenance Code, and the Rules of the City of New York.
- This presentation is not a complete statement of building owners' responsibilities relating to basic maintenance, tenant notices, HPD filings, or any other topic.
- Our target audience: Building Owners who want to know more about Local Law 55 of 2018 and related laws.
- Additional information can be found on the HPD website at [www.nyc.gov/hpd](http://www.nyc.gov/hpd)



# Agenda

1. Summary of Recent Laws for Pests and Mold
2. Basic Themes of Recent Laws for Pests and Mold
3. Pests:
  - a. Identify the Problem: Indoor Allergens
  - b. Identify the Problem: Bedbug Filing
  - c. Required Work Methods
  - d. Contractor Controls
  - e. Clearing HPD Violations
4. Mold:
  - a. Identify the Problem
  - b. Required Work Methods
  - c. Contractor Controls
  - d. Clearing HPD Violations
5. Additional Resources



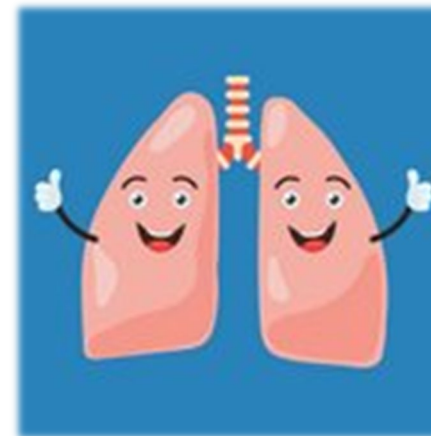


# Part 1: Summary of Recent Laws for Pests and Mold



## These Laws Aim to Eliminate Indoor Allergen Hazards

- Allergens are substances in the environment that make indoor air quality worse. They can cause asthma attacks or make asthma symptoms worse.
- The laws we will discuss here define certain indoor allergen hazards that, when present, create conditions that pose a health danger.





# Recent Laws

<b>Pests</b>	<b>Mold</b>
<p>NYC Local Law 55 of 2018 (Mold and Pests)</p>	
<p>NYC Local Law 69 of 2017 (Bedbug Filing)</p>	<p>New York State Labor Law Article 32</p>
	<p>NYC Local Law 61 of 2018</p>

# Broadest New Law: Local Law 55 of 2018

## The Asthma-Free Housing Act

### Main features:

- **Purpose:** To remove indoor environmental triggers in the home
- **Buildings affected:** Only covers Multiple Dwellings (buildings with 3 or more dwelling units) or any type of housing where a tenant with asthma lives (enforced by NYC Health Dept).
- **Areas of Concern:** Identifies Mold/Mice/Rats/Roaches as 'Indoor Allergens'.
- **Required**
  - **Owner Inspections:** Owners must inspect occupied units and common areas for Mold/Mice/Rats/Roaches at least every year.
  - **HPD questions:** HPD Inspectors must ask tenants about Mold/Mice/Rats/Roaches at every unit inspected.
  - **Work methods:** Introduces required work methods to remediate pest and mold violations.
- **Additional clearance procedures:** Introduces stricter standards for reinspection and violation clearance in keeping with new required work methods.

# Additional New Laws: NY State Labor Law Article 32 – Mold remediation

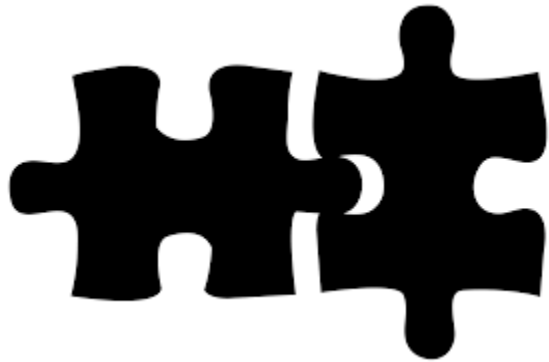
## Main Features:

- Applies to **any** mold remediation being conducted by a third party.
- **Contractor Standards:** Requires Mold Assessors and Remediators to be properly trained, licensed, and adhere to minimum work standards.
- **Independence:** Requires separate Mold Assessment, Remediation, and Post-Remediation Assessment for each job, and requires the Assessor and Remediator to be independent of each other.
- **Exception:** Provides an exception where owners or their agents who perform the work themselves do not have to follow the above standards.

# Additional New Laws: Local Law 61 of 2018 – Mold Remediation

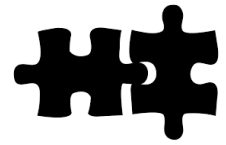
## Main features:

- For buildings with 10 or more residential units:
  - *Requires* owners or their agents to hire outside Mold Assessor and Remediator contractors for all mold projects greater than 10 square feet (regardless of whether or not HPD issues a violation).
  - *Requires* Mold Assessors and Remediator contractors to file reports with NYC Dept. of Environmental Protection for each project.



# Part 2:

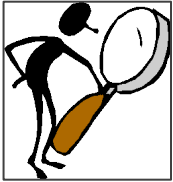
## Basic Themes of Recent Laws for Pests and Mold



# The New Laws Affect Rules for Pests and Mold in Four Main Ways:

Pests

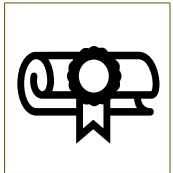
Mold



- New requirements for **Identifying the Problem**



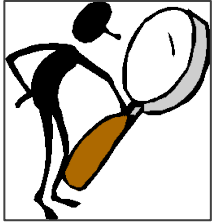
- **Stricter Required Work Methods**



- **New Contractor Controls**



- Additional steps for **Violation Clearance**



# Identify the Problem

Various laws require Owners to notify tenants of their rights, inquire periodically about specific conditions, and make inspections based on tenant responses:

- Lead-based paint (child under 6);
- Window guards (child under 11);
- Stove knob covers;
- Mice, rats, roaches, mold and bedbugs.**

Beyond the specific requirements above, the best way to keep apartments in good repair and avoid HPD violations is to *always* maintain good communications with tenants wherever possible and address conditions in a timely fashion.





# Work Methods

There are two main themes to the required work methods for both Pests and Mold:

- (1) Do not create *another* hazard while removing the original one**
  - Use dangerous chemicals safely and minimally.
  - Prevent the spread of contaminated debris while work is being done.
  - Thoroughly clean sites after work is done.
  
- (2) Address the problem at its source**
  - Restrict pests' movement and access to food and water.
  - Remove sources of moisture that allow mold to grow.

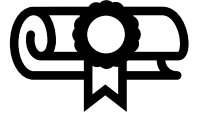


## Work Method Spotlight: HEPA vacuum

Pests Mold



- “High-Efficiency Particulate Air” vacuum
- Local Law 55 requires the use of HEPA vacuums for cleaning up pest and mold sites. HEPA vacuums have:
  - A HEPA filter, which captures an extremely high percentage of very small particles.
  - An airtight body, to prevent the small particles from immediately recirculating through openings in the vacuum body back into the air.
- A regular vacuum, even if using a HEPA filter, may not meet the stricter standards set by LL55.



# Contractor Controls

Pests Mold

The new laws contain several provisions intended to help ensure that contractors are qualified and behave with integrity.

- (1) **Licensing:** Licenses are now generally required for contractors working with mold and pesticides.
- (2) **Checks and Balances (Mold Only):** The firm that *assesses* the mold condition must be independent from the firm that *remediates* the mold condition, and each firm must file written reports of their work with the Department of Environmental Protection.



## Violation Clearance

*What's our best advice for clearing HPD violations?  
Read and save your Notice of Violation package!*

- The procedure and paperwork required for clearing an HPD Mold or Pest violation will depend upon the type and class of violation and the number of units in a dwelling.
- The Notice of Violation (NOV) package you receive in the mail from HPD will contain *customized* instructions for clearing the referenced violations.

# Do's & Don'ts of Local Law 55



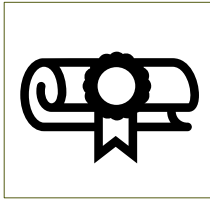
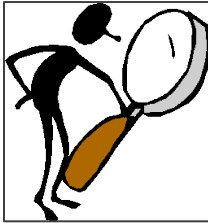
## DO

- Proactively speak with tenants and address issues immediately
- Use approved work methods if completing work on your own
- Check the NOV (Notice of Violation) for deadlines or there will be additional steps necessary to clear violations

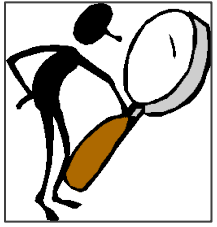


## DON'T

- Assume you can fix all Indoor Allergen work without a license
- Fill out your NOV (Notice of Violation) packet without carefully reading the instructions



# Part 3: Pests



# Identify the Problem

## Indoor Allergens

Pests

Mice



Rats



Cockroaches



\*Mold is also defined as an Indoor Allergen and will be discussed in the next section.

# Other Pests (not considered Indoor Allergens by LL55)

Pests



Ants



Spiders



Bees



Moths



Flies



Bed Bugs







## Owner Inspection and Notification: Local Law 55 requires owners of Multiple Dwellings to *proactively* address Pest issues

- Inspect each occupied apartment and all common areas for Indoor Allergen Hazards *at least* once a year.
  - There is no specific training required in order to conduct this inspection.
  
- In addition, inspect whenever you receive indications that an Indoor Allergen Hazard may exist, such as:
  - Occupant request for maintenance.
  - Occupant complaint to a City agency.
  - Receiving an HPD violation for a condition, such as a leak, that is likely to cause an Indoor Allergen Hazard.



## Owner Inspection and Notification (Continued)

- Use approved work methods to remediate Indoor Allergen Hazards:
  - (1) Upon apartment turnover.
  - (2) Anytime your inspection identifies an Indoor Allergen Hazard.
- Provide two notices to tenants with every lease signing: **DOHMH Pamphlet** and **Indoor Allergens Notice** (see next page).

# Owner Inspection and Notification: Documents to Provide at Every Lease Signing



## What Tenants Should Know About Indoor Allergens (Local Law 55 of 2018)

Allergens are things in the environment that make indoor air quality worse. They can cause asthma attacks or make asthma symptoms worse. Common indoor asthma triggers include cockroaches and mice; mold and mildew; and chemicals with strong smells, like some cleaning products. Environmental and structural conditions, like leaks and cracks in walls often found in poorly maintained housing, lead to higher levels of allergens.

New York City law requires that property owners take steps to keep their tenants' homes free of pests and mold. This includes safely fixing the conditions that cause these problems. Tenants also play a role in preventing indoor allergens.

### TENANTS SHOULD:



Keep homes clean and dry.



Avoid using pesticides and chemicals with strong smells (for example, cleaning products, air fresheners).



Place food in sealed containers. Keep counters and sinks clean. Get rid of clutter such as newspapers and paper bags.



Tell property owners or building superintendents (also known as supers) right away if there are pests, water leaks, or holes or cracks in the walls and floors.



Use garbage cans with tight-fitting lids.



Let building staff into homes to make any needed repairs.



Take garbage and recycling out every day, and tie up garbage bags before putting them in compactor chutes.



Call 311 if property owners or supers do not fix the problem or if repair work is being done unsafely.

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

For more information about property owner responsibilities and safely fixing indoor allergen hazards, see the reverse side of this fact sheet.

For more information about safely controlling asthma, visit [nyc.gov/health/asthma](http://nyc.gov/health/asthma).



Department of Health & Mental Hygiene | Department of Housing Preservation & Development

DOHMH Pamphlet

## LEASE/COMMENCEMENT OF OCCUPANCY NOTICE FOR INDOOR ALLERGEN HAZARDS

1. The owner of this building is required, under New York City Administrative Code section 27-2017.1 et seq., to make an annual inspection for indoor allergen hazards (such as mold, mice, rats, and cockroaches) in your apartment and the common areas of the building. The owner must also inspect if you inform him or her that there is a condition in your apartment that is likely to cause an indoor allergen hazard, or you request an inspection, or the Department has issued a violation requiring correction of an indoor allergen hazard for your apartment. If there is an indoor allergen hazard in your apartment, the owner is required to fix it, using the safe work practices that are provided in the law. The owner must also provide new tenants with a pamphlet containing information about indoor allergen hazards.

2. The owner of this building is also required, prior to your occupancy as a new tenant, to fix all visible mold and pest infestations in the apartment, as well as any underlying defects, like leaks, using the safe work practices provided in the law. If the owner provides carpeting or furniture, he or she must thoroughly clean and vacuum it prior to occupancy. This notice must be signed by the owner or his or her representative, and state that he or she has complied with these requirements.

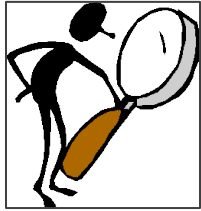
I, \_\_\_\_\_ (owner or representative name in print), certify that I have complied with the requirements of the New York City Administrative Code section 27-2017.5 by removing all visible mold and pest infestations and any underlying defects, and where applicable, cleaning and vacuuming any carpeting and furniture that I have provided to the tenant. I have performed the required work using the safe work practices provided in the law.

Signed:

Print Name:

Date:

Indoor Allergens Notice



# Pests: Identify the Problem Bedbug Inquiry and Filing



## Bedbug Filing: 3 questions for each unit

Local Law 69 of 2017 requires owners to report building infestation history to HPD. Owners must inquire with each unit and ask the three below questions and record the answers. This will be used to create a “summary” of the results.

### *During the latest reporting period*

1. Did the unit have bedbugs?
2. Were extermination measures taken in the unit?
3. Did the bedbugs come back after the last extermination attempt?

How to find out?

- (1) Use your own records;
- (2) Use HPD records (were any violations issued?); and
- (3) Inquire with tenants each year and record their answers.



# Bedbug Filing: More Details

- Only required for Multiple Dwellings (buildings with 3 or more dwelling units)
- Annual Filing Period: December 1 – 31st  
(for the previous November 1<sup>st</sup> – October 31<sup>st</sup>)
- **DOs:**
  - Report a *summary* of the info to HPD using the electronic filing system.
  - Share the *summary* w/ tenants, either by including the receipt of HPD filing with each new lease or lease renewal, or posting a copy of the summary in a building public area.
  - Arrange for extermination for tenants who report current infestations, using Integrated Pest Management.
- **DON'T:**
  - Share identifying information of specific units with a bedbug problem in your *summary*.



# Pests

## Required Work Methods



# Required Work Method: Integrated Pest Management

Integrated Pest Management (IPM) focuses on:

- Eliminating pests' access to food and water.
- Eliminating pests' ability to travel within a building.
- Using low toxicity pesticides\* and apply them in a manner that minimizes secondary exposure

IPM is the **safest *and* most effective way to fix an infestation problem.**

\*Pesticides can only be administered by a licensed professional.





# Integrated Pest Management (Continued)

- HPD and DOHMH recommend IPM for **all** pest infestations.
- LL 55 now *requires*:
  - Owners to use IPM when addressing **all** pest infestations in **Multiple Dwellings**.
  - Owners to specifically swear to the use of IPM when clearing a violation for Mice/Rats/Roaches.



# IPM Work Methods required by Local Law 55: Address the problem at its source

## Examples of how to do this:

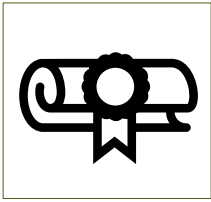
- Eliminate points of entry and passage
  - Repair and seal holes and cracks that allow pests to move;
  - Install door sweeps to reduce gaps to  $\frac{1}{4}$  inch;
- Eliminate sources of water for pests by repairing drains, faucets, and other plumbing materials that accumulate water or leak.



## IPM work methods required by Local Law 55: Do not create *another* hazard while remediating the pest condition

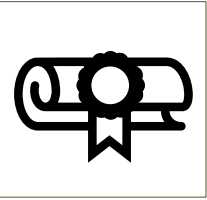
- Thoroughly remove pest remains (nests, waste, etc.) by washing and/or HEPA vacuum because:
  - Pest remains decompose into dust that can contribute to asthma.
  - Pest markings/nests/trails can also serve as pathways, making it easier for pests to re-infest an apartment.
- Use of pesticide cannot substitute for the methods described on the previous slide.

*For more detailed info on IPM work methods or on finding a pest professional who practices IPM, consult the NYC Department of Health and Mental Hygiene.*



# Pests

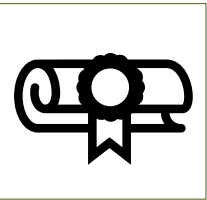
## Contractor Controls



## Contractor Controls: License required by Local Law 55

Local Law 55 stipulates that ‘any pesticide applied shall be applied by a pest professional licensed by New York state department of environmental conservation (DEC).’

**Note** There is no license or certification required to practice IPM, but a license *is* required to use any **pesticide**.



# Finding a licensed Pest Management Professional (PMP)

NY State Department of Environmental Conservation website:  
<https://www.dec.ny.gov/nyspad/?0>

**Bureau of Pesticides Management - Information Portal**

**Businesses and People**

- Applicators & Technicians**  
Verify the certification status of a pesticide applicator or technician.
- Businesses & Agencies**  
Search for registered pesticide businesses or agencies.
- Restricted Pesticide Dealers**  
Locate businesses that are permitted to sell restricted-use pesticides.

**Exams and Courses**

- Courses**  
Search for pesticide certification training course.
- Exams**  
Find an upcoming pesticide certification exam.

**Pesticide Product Information**

- Products**  
Search our database of pesticide products.  
  
[How to Search for COVID-19 Products?](#)
- Product Open Data**  
Download delimited files with all Product open data
- NYS PAD Product Data**  
Download delimited files with all NYS PAD data (current and archival).
- Pending (NAI and MCL) Registrations**  
Download delimited files of pending NAI and MCL registrations.
- NPIRS Public Website**  
State-by-state access to pesticide products registered with the EPA (this website is not managed by NY DEC).
- Company/Product Text Files**  
Download text files with company information and product information.



# Pests

## Clearing HPD Pest Violations

# QUICK REVIEW: Violations

- A citation issued to a building for not being in compliance with the law. Violations become the responsibility of whoever owns the building.

Violation Class	Type	Time owner has to correct from notice before civil penalties begin to accrue
Class A	Not Hazardous	<b>90 days</b>
Class B	Hazardous	<b>30 days</b>
Class C: Lead-Based Paint, Mold, Mice/Rats/Roaches or Window Guards	Immediately Hazardous	<b>21 days</b>
Class C: Heat or Hot Water	Immediately Hazardous	<b>Immediately</b>
Class C: (all others)	Immediately Hazardous	<b>24 hours</b>



# QUICK REVIEW:

## Certification of Correction

- Once an Inspector has written a violation, HPD sends the building owner a Notice of Violation (NOV).
  - The NOV includes a document called a Certification of Correction.
- The **Certification of Correction** is a **paper** or **electronic document** filed with HPD by property owners or managing agents to affirm that the violation conditions cited on a Notice of Violation have been **corrected** within the legally required timeframe.
- Certification is FREE and will result in the dismissal of the violation if the condition was properly corrected.

\*In order to receive a Notice of Violation as soon as possible and to begin work and certify the violation in a timely manner, register your address and contact information with HPD.

# Summary: HPD Requirements for Clearing Pest Violations

		Violation Class	Integrated Pest Management?	Violation Clearance Docs	
				Certification	After Certification
<b>Multiple Dwelling</b> (3 or more units)	Rats	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	Mice	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	Roaches	C	Required by law	"Pests" Notice of Violation	AF6 affidavit
	All Other Pests	B	Required by law	Standard documents	
<b>Private Dwelling</b> (1-2 units)	Rats	C	Recommended	Standard documents	
	Mice	B	Recommended	Standard documents	
	Roaches	B	Recommended	Standard documents	
	All Other Pests	B	Recommended	Standard documents	

Reminder:

- Multiple Dwelling – Building with 3 or more residential units
- Private Dwelling – Building with 1-2 residential units



# General 'Non-Heat' NOV is used for all other pests and for Mice/Rats/Roaches in Private Dwellings

## NOV/NOF CERT (REV 11/2015)

“NOV” =  
Notice of  
Violation.  
“NOF” =  
Notice of  
Failure

No statement swearing that  
IPM was used.  
(However, IPM is *still* required  
for all pests in Multiple  
Dwellings.)

NOV/NOF CERT (REV 11/2015)

BOROUGH \_\_\_\_\_ HOUSE NO. \_\_\_\_\_ STREET NAME \_\_\_\_\_

**CERTIFICATION OF CORRECTION OF VIOLATION(S)/HOUSING QUALITY STANDARDS FAILURE(S)**  
Complete entire form and sign below.

State of New York

JSS: \_\_\_\_\_

County of \_\_\_\_\_

I, \_\_\_\_\_ (PRINT NAME), swear or affirm under penalty of perjury as follows:

1. That I am the registered: (check applicable box)

- The Owner of the property
- An Officer of the Corporation that owns the property
- The Managing Agent of the property
- Otherwise registered as responsible for the property

2. If the building is a multiple dwelling, or I am the owner of a one- or two-family house and neither I nor any family member occupies the dwelling, that I am currently registered with the Division of Code Enforcement for the subject property.

3. That I have examined the area(s) containing the violation(s)/failure(s) on the reverse side of this form and, to my knowledge such violation(s)/failure(s) whose number(s) I have listed below was (were) corrected on the date(s) I have indicated.

4. That, if any of the violations require that bed bugs be remediated, I have complied with the Department of Health and Mental Hygiene Commissioner's Order, by inspecting the apartment(s) cited by the Order for bed bugs; that if there is a bed bug infestation in the apartment(s) cited, I have inspected all units adjacent to, above and below the infested units, and all common areas; that I have retained the services of a pest management professional certified and registered by the New York State Department of Environmental Conservation as necessary to remove bed bug infestations; and that I have kept records of all actions taken to comply with the Order and the violation(s).

5. That the following are the names and addresses of my agents /employees, including certified pest management professional(s) who performed the work to correct the violation(s)/failure(s) that I have certified as corrected (additional sheets may be attached if more space is needed):

NOV/NOF Number	Violation/Failure Number	Date Corrected	Name of Agent or Employee who Performed the Work	Address of Agent or Employee who Performed the Work

6. My signature below indicates that I am submitting a separate and distinct certification for each violation/failure listed above by Violation/Failure Number and I am aware that I am subject to penalties for false certification for each violation/failure certified on this form.

Sworn to me this

\_\_\_\_\_ day of \_\_\_\_\_

Notary Public

Signature

Phone Number

THE MAKING OF A FALSE CERTIFICATION IS A CRIME  
PUNISHABLE BY A FINE AND/OR IMPRISONMENT

Printed on paper containing 30% post-consumer material.

# General 'Non-Heat' NOV is used for all other pests and for Mice/Rats/Roaches in Private Dwellings

Pest violations other than Mice/Rats/Roaches in Multiple Dwellings are still included in the general 'non-heat' NOV, grouped with other violations of the same class.

In this example from 2018, a bedbug violation is included in a group of other 'B' class violations.

OHP Form 194 CIV  
(Rev. 6/2013)

THE CITY OF NEW YORK  
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT  
DIVISION OF CODE ENFORCEMENT

NOV ID: 6310544



DCE/ BROOKLYN BORO OFFICE  
701 EUCLID AVENUE  
BROOKLYN, NY 11208

LOCATION	BORO	AREA	BLDG TYPE	REG. NO.	DATE REPORTED	CYCLE #	PAGE
[REDACTED] ROAD	BK	177	HAEA	[REDACTED]	11/07/2018	299449	1 of 1

NOTICE OF VIOLATION



All violations listed below are CLASS: **B**  
All violations listed below must be CORRECTED by 12/19/2018  
and CERTIFIED as corrected by 01/02/2019

VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
12749094	570	§ 27-2018 ADMIN. CODE: ABATE THE NUISANCE CONSISTING OF BEDBUGS LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST
12749104	530	§ 27-2005, 2007 ADM CODE ARRANGE AND MAKE SELF-CLOSING THE DOORS , IN THE ENTRANCE LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST
12749111	508	§ 27-2005 ADM CODE REPAIR THE BROKEN OR DEFECTIVE PLASTERED SURFACES AND PAINT IN A UNIFORM COLOR THE WALLS AND CEILING IN THE PRIVATE HALLWAY LOCATED AT APT 6B, 6th STORY, 3rd APARTMENT FROM NORTH AT EAST



## Integrated Pest Management and Reinspections

For reinspections of **mice, rat and roach** violations, the Inspector will attempt to verify that the IPM methods required by Local Law 55 were used to remediate the condition.

For instance, an Inspector will **'Not Comply'** a violation if:

- Holes and cracks that allow pest entry have not been covered;
- Entrance doors that permitted pest entry have a gap of more than  $\frac{1}{4}$  inch;
- Pest waste, droppings and debris have not been cleaned;
- Leaks and other water sources for pests have not been fixed.

# Evidence of Roaches

Cockroach eggs



Cockroach dropping ("frass") under cabinets



# Evidence of Mice/Rats

Mouse/Rat droppings



Chewed through household items



Urine stains





# Post-Certification Document: AF6 – Mice, Rats and Roaches in Multiple Dwellings

Even if a Landlord has already submitted a valid Certificate of Correction, once the certification deadline has passed they must fill out this **new** Affidavit before HPD can clear the violations.

Pests

**AFFIDAVIT OF COMPLIANCE (AF-6)**  
**MICE, COCKROACHES, AND RATS INFESTATION VIOLATIONS**  
**WORK COMPLETED AFTER JANUARY 19<sup>TH</sup>, 2019**

Violation Number(s): \_\_\_\_\_  
Apt # \_\_\_\_\_

State of New York } ss:  
County of \_\_\_\_\_

I, \_\_\_\_\_, swear or affirm under penalty of perjury as follows:  
(type or print name)

- That I am over twenty-one years of age and am the registered owner and/or managing agent of the subject premises,  
  
\_\_\_\_\_  
(type or print entire building address, including borough)
- Property Registration number \_\_\_\_\_;
- That I have read HPD's "Guide to Local Law 55 of 2018 Integrated Pest Management Practices" and am aware of the work practices required to eliminate mice, cockroaches, and rat infestation safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required integrated management practices;
- That I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected in accordance with the integrated pest management practices in §27-2017.8 of Local Law 55;
- That if pesticides were used to abate the presence of mice, cockroaches, and rat infestations, a certified commercial pesticide applicator was used in accordance with New York State Environmental Conservation Law (ECL Article 33 §33-0905);

Sworn to me this:  
\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone Number

Same language as Certificate of Correction



# Clearing Pest Violations

## Overdue Violations: Defect Letter



DCE/ BRONX BORO OFFICE  
1932 ARTHUR AVENUE  
BRONX, NY 10457

Mice, Cockroaches, and Rats  
DEFECT LETTER  
(Rev.2/19)  
DOC ID # [REDACTED]

[REDACTED]  
STREET  
New York, NY 10012

THE CITY OF NEW YORK  
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT  
DIVISION OF CODE ENFORCEMENT

**MICE, COCKROACHES, AND RATS DEFECT LETTER**  
**VIOLATIONS ISSUED AFTER JANUARY 19TH, 2019**

RE: [REDACTED] AVENUE, BX

Dear Property Owner:

An HPD inspection has confirmed that the open pests violation(s) listed in the back of this document have been corrected for [REDACTED] AVENUE, BX

For the violations to be dismissed, you must submit the following:

- Affidavit of Compliance (No fee is required);

For more information on the paperwork to be submitted, see [www.nyc.gov/hpd](http://www.nyc.gov/hpd), search Indoor Allergen Hazards.

You may submit one affidavit for all violations corrected at the same time for each apartment. The violation(s) will be dismissed if the paperwork provided is sufficient.

Submit documents to HPD as follows: DCE/ BRONX BORO OFFICE  
1932 ARTHUR AVENUE  
BRONX, NY 10457

Need assistance? Contact your local Borough Code Enforcement Office at 212-863-7050

Thank you.  
Division of Code Enforcement

HPD sends this ‘Mice, Cockroaches and Rats Defect Letter’ to an Owner when:

- An HPD Inspector has reinspected the condition and found that it has been corrected AND...
- HPD has still not received the **AF6** Affidavit.

The AF6 Affidavit is required before an overdue violation can be closed. If you have already submitted a properly-completed AF6, then the violation will be closed as soon as HPD processes your submission.

# KEY TAKEAWAYS

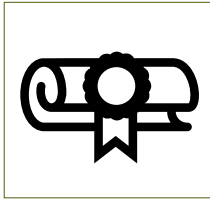
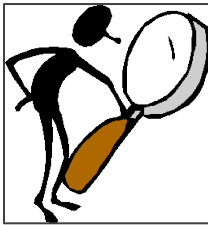
1. Ask tenants about presence of Mice/Rats/Roaches on a regular basis.
2. Submit report on bedbug infestation history annually.
3. Use Integrated Pests Management if there are any infestations of Mice/Rats/Roaches.
4. Only licensed professionals can apply pesticides.
5. Mice/Rat/Roach violations require both prompt attention and affirmation that safe work practices were used to fix the problem.



Poll

# Questions on Pests?



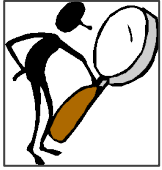


# Part 4: Mold



# Examples of Mold





# Identify the Problem

## What is Mold?

- A type of microorganism in the fungi kingdom
- Natural part of the environment and always in the air and on surfaces
- Cannot make its own food, so absorbs food from surroundings
- Reproduces and creates spores
  - Spores release toxins which are allergenic to humans.
- Needs the following to grow and reproduce:
  - Temperature
  - Organic material (Food Source)
  - **Water/Moisture**



# What can be considered an organic material in apartments?

- Paper facing of drywall
- Lumber products
- Textiles of Natural fibers
- Latex backing/adhesive in carpets
- Binder in fiberglass insulation
- Moist, dirty surfaces on concrete/ceramic tiles

\*The type of nutrients available will influence the type of microbial growth\*

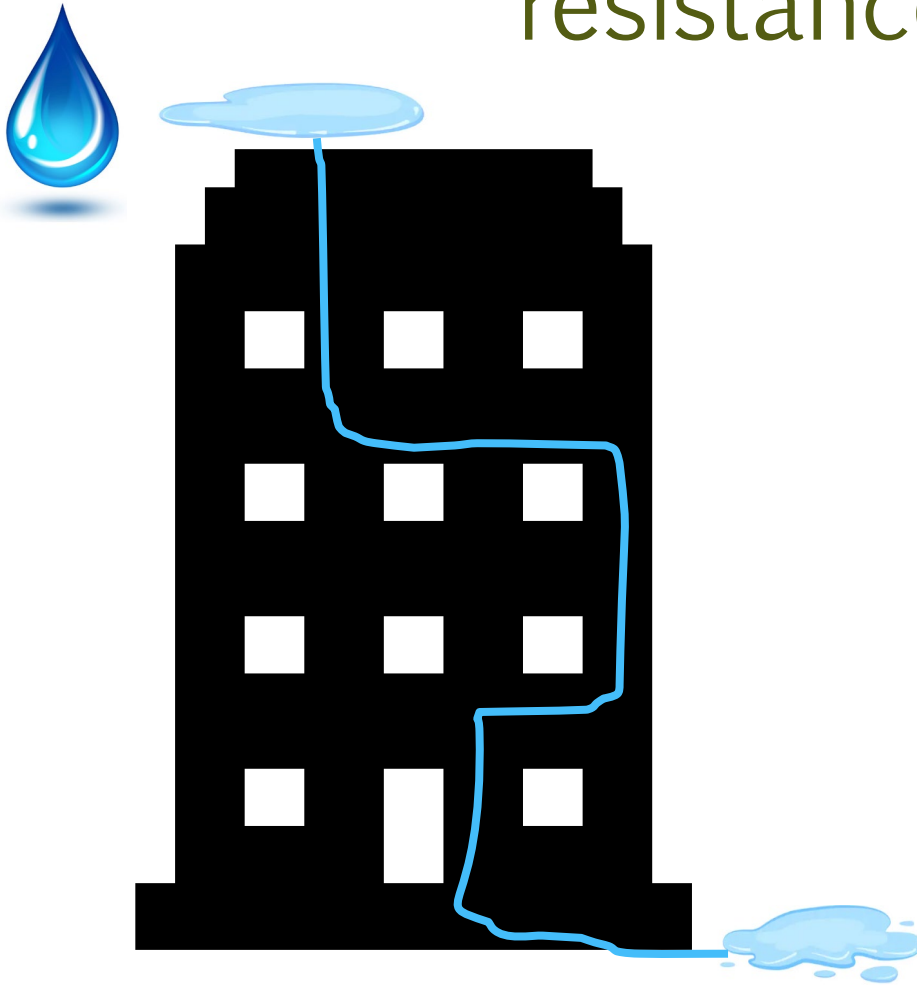


## Have you considered these moisture sources?

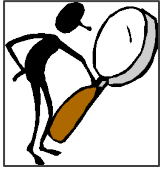
- Poor bathroom/kitchen ventilation
- Uninsulated components of building which can support condensation
- Wet clothes drying inside home
- HVAC system issues
- High humidity months
- Roof leaks
- Plumbing leaks



# Water leaks travel path of least resistance



A roof leak will not necessarily travel down an apartment line. It may move downward through different rooms and different apartments!



How long will it take for mold to grow on a wet surface?

***24 – 48  
hours!***

If you can dry the surface within this time frame or replace drywall, you may be able to prevent mold growth.



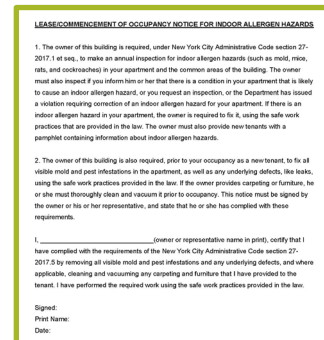
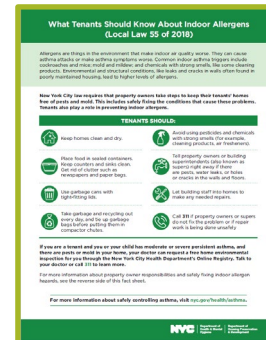
## Owner Inspection and Notification: Local Law 55 requires owners of Multiple Dwellings to *proactively* address Mold issues

- Similar to the requirements for pests, Building Owners must inspect each occupied apartment and all common areas for Indoor Allergen Hazards *at least* once a year.
  - There is no specific training required in order to conduct this inspection.
- In addition, inspect whenever you receive indications that an Indoor Allergen Hazard may exist, such as:
  - Occupant request for maintenance.
  - Occupant complaint to a City agency.
  - Receiving an HPD violation for a condition, such as a leak, that is likely to cause an Indoor Allergen Hazard.



# Owner Inspection and Notification (Continued)

- Use approved work methods to remediate Indoor Allergen Hazards:
  - Upon apartment turnover.
  - Anytime your inspection identifies an Indoor Allergen Hazard.
- Provide two notices to tenants with every lease-signing: **DOHMH Pamphlet and Indoor Allergens Notice** (shown previously in Pests section).





# Mold

## Required Work Methods



# Work Practices Required by Local Law 55

- **Investigate and correct any underlying defect**, including moisture or leak conditions, that are causing or may cause mold violations.
- **Remove or securely cover with plastic sheeting** any furniture or other items in the work area that cannot be removed.
- **Minimize** the dispersion of **dust and debris** from the work area to other parts of the dwelling unit **through methods such as**:
  - Sealing ventilation ducts/grills and other openings in the work area with plastic sheeting;
  - Isolating the work area with plastic sheeting and covering egress pathways;
  - Cleaning or gently misting surfaces with a dilute soap or detergent solution prior to removal;
  - The use of approved HEPA vacuum-shrouded tools at the point of dust generation.



# Plastic Sheeting



Source: <http://www.valormold.com/eight-steps-to-proper-mold-removal/>



# Misting Surfaces



Source: <https://www.servicemasterdallas.com/how-to-remove-mold-bleach-vs-vinegar/>





Mold

# HEPA Vacuum

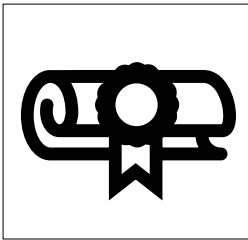


Source: <https://manualzz.com/doc/11862859/v8000wd-wet-dry-hepa-vacuum>



# Work Practices Required by Local Law 55 (Continued)

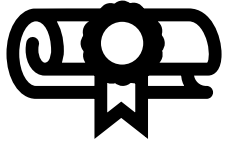
- Clean mold with soap or detergent and water.
- Remove and discard materials that cannot be cleaned properly.
- Properly remove and discard plastic sheeting, cleaning implements, and contaminated materials in sealed, heavy-weight plastic bags.
- **Clean any remaining visible dust** from the work area using wet cleaning methods or HEPA vacuuming.
- **Leave the work area dry and visibly free from mold, dust, and debris.**



# Mold

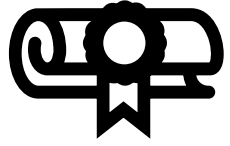
## Contractor Controls





# Who is a Mold Assessor?

- Contractor who identifies mold
- According to law: “ ‘Mold Assessment’ means an inspection or assessment of real property that is designed to **discover mold, conditions that facilitate mold, indicia of conditions that are likely to facilitate mold** or any combination thereof.”
- Key Terms:
  - Visual Inspection
  - Mold Remediation Plan
  - Post-Remediation Assessment



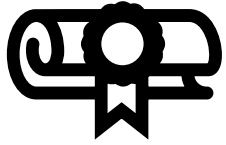
# Mold Assessor Equipment

*Moisture Meters*



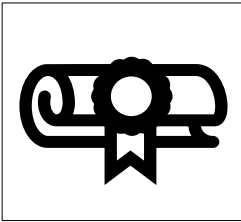
*Infrared Camera*





# Who is a Mold Remediator?

- Contractor who removes mold
- According to law: “ ‘Mold Remediation’ means conducting the business of **removal, cleaning, sanitizing, or surface disinfection of mold, mold containment, and waste handling of mold** and materials used to remove mold from surfaces...”
- Key terms
  - Team of Mold Abatement workers
  - Personal Protective Equipment (PPE)
  - Mold Remediation Workplan



# Remediator Worker Protections PPE (Personal Protective Equipment)



PPE recommendations per job will vary depending on extent of mold growth



Owner can wear PPE if completing work themselves

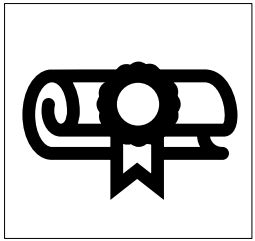


# Contractor Control: Assessment and Remediation

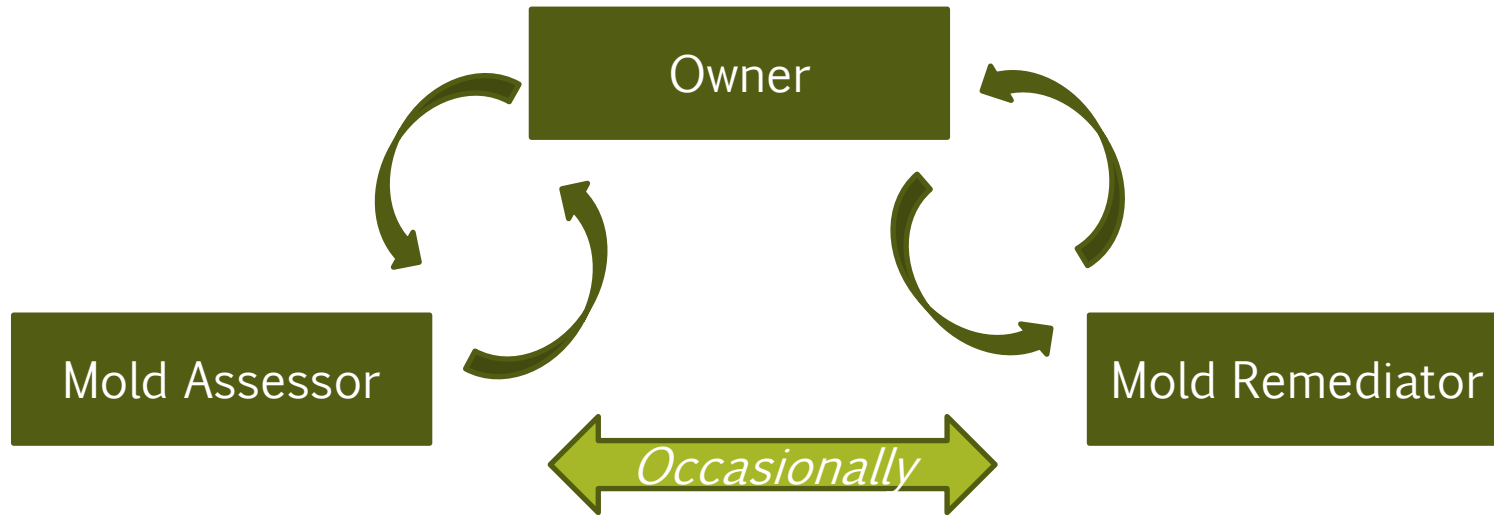
Article 32 requires Mold Contractors to follow a set of procedures when remediating a Mold condition.

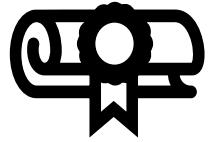
- (1) **MOLD ASSESSOR**: A Mold Assessment Contractor must observe the Mold Condition, and create a [Mold Remediation Plan](#), which specifies the scope of work and work methods that are necessary to remediate the Mold Condition. At the completion of the work, a Mold Assessment Contractor must then review the work that was done and complete a [Mold Post-Remediation Assessment](#), confirming that the Mold Remediation Plan was followed.
- (2) **MOLD REMEDIATOR**: A Mold Remediation Contractor (who must be independent from the Mold Assessment Contractor) must create and carry out a [Mold Remediation Workplan](#). In this Workplan, the Remediation contractors specifies *how* they will follow the instructions of the Mold Remediation Plan.





# Your Role as Owners

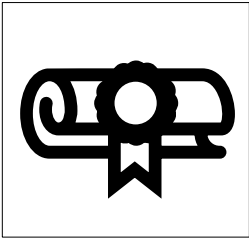




# Contractor Control: Licensing

NY State Labor Law Article 32 requires Mold Contractors and Firms to be licensed with the New York State Department of Labor. License-seekers must:

- Complete NYS Dept. of Labor-approved Training
- Firm must have Insurance: Liability and Workers' Compensation
- Workers and firm owner must be 18 years old
- Display their license at work site



# Finding a licensed Mold Contractor

New York State Department of Labor website:  
<https://dol.ny.gov/mold-program>

**Department of Labor**

Asbestos Control Bureau ▶ *Mold Licensee Reports*

Sort Report by Name or Zip Code (Required)  
\* Sort Report By:

Type of Work (optional)

Assessor:  Yes  No [Deselect](#)

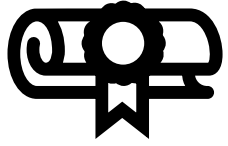
Remediator:  Yes  No [Deselect](#)

Search by: Enter search criteria in one or more fields below. The more criteria entered, the narrower your search results will be.

Contractor Name/DBA

City

Zip

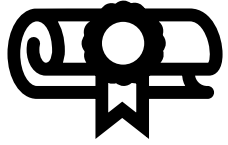


# Contractor Control: 10 or more units

Local Law 61 of 2018 **requires** the use of a licensed mold assessor and remediator:

- For buildings with **10 or more units**, and
- Whenever there is **more than 10 square feet** of mold.





# Contractor Control: DEP Filing

Local Law 61 of 2018 requires Mold contractors to **file documents** with the NYC Department of Environmental Protection (DEP) when doing work on buildings with 10 or more units.

- This ensures transparency and accountability. DEP is required to make each filing available to the public on its website.
- The **Mold Remediator** must file the Mold Remediation Workplan with DEP at least two days before the start of work.\*Exceptions include: Certain court-ordered work and certain emergency repairs.
- The **Mold Assessor** must file the Mold Post-Remediation Assessment with DEP no later than seven days after the Post-Remediation Assessment is completed.



# Contractor Filing Process

DEP's website contains a portal for Mold contractors to file plans as required.  
<https://www1.nyc.gov/site/dep/environment/mold-abatement.page>

## Mold Abatement

Local Law 61 of 2018 established minimum standards for carrying out mold assessment, mold abatement and mold remediation for buildings that contain 10 or more dwelling units or are located on a zoning lot that contains 25,000 or more square feet of non-residential floor area. The law also requires the person holding a mold remediation license to file a Mold Remediation Work Plan Notification Form and the Mold Remediation Work Plan. The person holding a mold assessment license is required to file a Post-Remediation Assessment Form and Mold Post-Remediation Certification. **These forms are available below and you must be file them online.** If you have any problems submitting these forms, please contact [moldhelp@dep.nyc.gov](mailto:moldhelp@dep.nyc.gov).

- File a [Mold Remediation Work Plan and Notification Form](#)
- File a [Mold Post Remediation Assessment Form and Certification](#)



# DEP Forms for Contractor Filing

## *DO NOT PROVIDE TO HPD*

Mold

The contractor receives these hard copies after filing these forms online. These copies with a DEP logo should be provided by the contractor to DEP.

**NYC** DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM  
55-17 Junction Boulevard, 8<sup>th</sup> Floor, Flushing NY 11375  
Environmental Protection  
**MOLD POST-REMEDIATION ASSESSMENT PROJECT INFORMATION**

THIS FORM MUST BE SUBMITTED TO DEP WITHIN SEVEN DAYS AFTER COMPLETION OF ABATEMENT ACTIVITIES

**I. MOLD ASSESSMENT CONTRACTOR**

Name: \_\_\_\_\_ Mold Assessment License Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**II. FACILITY / PROPERTY**

Premises Number: \_\_\_\_\_ Street Name: \_\_\_\_\_ Apt # \_\_\_\_\_ Borough: \_\_\_\_\_ Zip: \_\_\_\_\_  
Type of Facility (Select one) \_\_\_\_\_  
AKA: \_\_\_\_\_ Type of Facility (Select one) \_\_\_\_\_  
Name of Individual on Whose Behalf Assessment was performed (Property Owner / Managing Agent): \_\_\_\_\_

**III. PROJECT INFORMATION**

DATES THAT POST-REMEDIATION ASSESSMENT WAS PERFORMED: START DATE: \_\_\_\_\_ END DATE: \_\_\_\_\_  
THIS FORM IS FOR:  ENTIRE PROJECT  ONLY THE PART OF THE PROJECT INDICATED BELOW  
TOTAL SQUARE FOOTAGE ABATED: **0.00**

Floor	Entire Floor (Y/N)	Section of Floor	Square Footage
Select one	Select one		
Select one	Select one		
Select one	Select one		
Select one	Select one		
Select one	Select one		
Select one	Select one		

**CERTIFICATION STATEMENT**

I, \_\_\_\_\_ hereby affirm under penalty of perjury that the information provided herein and in any and all accompanying attachments is true and complete to the best of my knowledge and that I have read and comply with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law. I further affirm that the information I have submitted in the Mold Post-Remediation Assessment - Background Information (Web-based) and the Mold Post-Remediation Certification is accurate to the best of my knowledge.

By checking this box I acknowledge the above Certification Statement

Date: \_\_\_\_\_  
Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**NYC** DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM  
55-17 Junction Boulevard, 8<sup>th</sup> Floor, Flushing NY 11375  
Environmental Protection  
**MOLD REMEDIATION WORK PLAN NOTIFICATION FORM**

THIS FORM MUST BE SUBMITTED TO THE DEP TWO DAY IN ADVANCE OF THE START OF ABATEMENT ACTIVITIES

**I. PROPERTY**

Premises Number: \_\_\_\_\_ Street Name: \_\_\_\_\_ Apt # \_\_\_\_\_ Borough: \_\_\_\_\_ Zip: \_\_\_\_\_  
Type of Facility (Select one) \_\_\_\_\_  
AKA: \_\_\_\_\_ Type of Facility (Select one) \_\_\_\_\_  
Is the activity conducted in a Government owned building?  NO  YES If YES, please select one \_\_\_\_\_  
If Other: \_\_\_\_\_

**II. APPLICANT (MOLD REMEDIATION CONTRACTOR)**

Name: \_\_\_\_\_ DOL License Number: \_\_\_\_\_ Contact Person: \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**III. PROJECT INFORMATION**

START DATE: \_\_\_\_\_ PROJECTED COMPLETION DATE: \_\_\_\_\_

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 7:00AM to 3:30PM	<input type="checkbox"/> 8:00AM to 4:00PM	<input type="checkbox"/> 8:00AM to 4:00PM

**WORK SCHEDULE OTHER HOURS**

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

TOTAL SQUARE FOOTAGE TO BE ABATED: **0.00**

Floor	Entire Floor (Y/N)	Section of Floor	Square Footage
Select one	Select one		
Select one	Select one		
Select one	Select one		
Select one	Select one		
Select one	Select one		

**CERTIFICATION STATEMENT**

I, \_\_\_\_\_ hereby affirm under penalty of perjury that the information provided herein and in any and all accompanying attachments is true and complete to the best of my knowledge and that I have read and comply with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law. I further affirm that the information I have submitted in the Mold Remediation Work Plan - Background Information (Web-based) and my own mold remediation work plan specific to this project is accurate to the best of my knowledge.

By checking this box I acknowledge the above Certification Statement

Date: \_\_\_\_\_  
Title: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**NYC** DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF ENVIRONMENTAL COMPLIANCE - MOLD REMEDIATION PROGRAM  
55-17 Junction Boulevard and 8<sup>th</sup> Floor, Flushing NY 11375  
Environmental Protection  
**MOLD POST-REMEDIATION ASSESSMENT CERTIFICATION**

NAME OF MOLD ASSESSMENT CONTRACTOR \_\_\_\_\_ LICENSE NUMBER OF MOLD ASSESSMENT CONTRACTOR \_\_\_\_\_ hereby certifies that on \_\_\_\_\_ on behalf of \_\_\_\_\_ NAME OF PROPERTY OWNER / MANAGING AGENT \_\_\_\_\_ at the property located at \_\_\_\_\_ PROPERTY ADDRESS \_\_\_\_\_ CITY # \_\_\_\_\_ ZIP \_\_\_\_\_ **SELECT ONE** mold remediation was completed in accordance with the mold remediation plan provided by \_\_\_\_\_ NAME OF MOLD REMEDIATOR \_\_\_\_\_

I, \_\_\_\_\_ hereby affirm under penalty of perjury that the information provided herein and any and all accompanying attachments are true and complete to the best of my knowledge and that I have read and complied with all the requirements contained in Local Law 55 of 2018, Local Law 61 of 2018 and Article 32 of New York State Labor Law related to this project. I further affirm that I have submitted / attached a copy of the Mold Post-Remediation Assessment.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

# KEY TAKEAWAYS

1. Ask tenants about presence of Mold on a regular basis.
2. Look for water source (underlying condition) and fix this as mold needs water to grow.
3. For certain buildings where Owners can do work themselves, use plastic sheeting minimize spread of dust, discard all materials affected by mold and thoroughly clean with a HEPA filtered vacuum.
4. For certain buildings where Owners need contractors, use NYS licensed companies to find Mold Assessors and Mold Remediators.
5. The Mold Assessor will come before work begins to identify mold and after work ends to confirm the job was done correctly. The Mold Remediator will actually perform the mold removal.





# Mold

## Clearing Mold Violations



# HPD Mold Violation Criteria

## Dwelling Unit:

- **A class:**
  - Less than 10 square feet in a room
- **B class:**
  - Between 10 square feet and 29 square feet in a room
- **C class:**
  - 30 square feet or more in a room

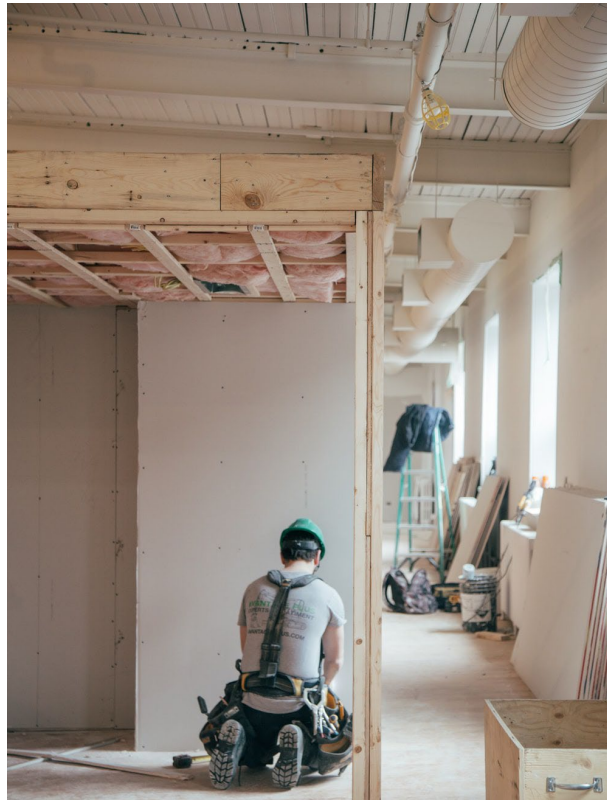
## Public Areas:

- **A class:**
  - Less than 30 square feet in a room or hallway level *OR*
  - Less than 50 square feet in the aggregate
- **B class:**
  - 30 square feet or more in a room or hallway level *OR*
  - 50 square feet or more in the aggregate

# Summary of Documents Required by HPD to Clear Mold Violations

		<b>Owner's Sworn Statement</b>		
		<i>During Certification Period</i>	<i>Post-Certification Period</i>	
<b>Buildings under 10 Units - Class A, B, C violations and Buildings 10 or more Units - Class A violations</b>	<b>Contractor Documents</b>  If owner or agents choose to do work themselves:	None	Complete the customized paperwork you receive with your Notice of Violation package	AF7 affidavit
	If owner chooses to hire outside contractors:	2 licenses		
<b>Buildings 10 or more Units - Class B and C violations</b>	(No choice: owner MUST hire outside contractors)	2 licenses 2 affidavits 2 DEP filing receipts	Complete the customized paperwork you receive with your Notice of Violation package	AF8 affidavit

# Contractor Documents





# Mold NOV

*Buildings under 10 Units (Class A, B, C violations)  
or  
10 or More Units (Class A violations)*



# Mold NOV for Buildings under 10 Units (Class A, B, C violations) or 10 or More Units (Class A violations)

CIV 194 MOLD (REV. 2/2019) Under 10 Units (Class A, B, and C Violation) or 10 or More Units (Class A Violation)

**AGENCY COPY**

CERTIFICATION OF CORRECTION OF VIOLATION(S)  
Complete entire form and sign below.

State of New York

)SS:

County of \_\_\_\_\_

I, \_\_\_\_\_ (PRINT NAME), swear or affirm under penalty of perjury as follows:

1. \_\_\_\_\_ That the building is a multiple dwelling, or is a one- or two-family house and neither I nor any family member occupies it, and, I am currently registered with the Division of Code Enforcement for the subject property in the capacity of:

2. That I have examined the area(s) identified on the Notice of Violation ID \_\_\_\_\_ by violation(s) number(s) \_\_\_\_\_ and to my knowledge such violation(s) whose number(s) I have listed was (were) corrected, including the source of the mold condition, in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04(b) on \_\_\_\_\_ (date) by:

\_\_\_\_\_ Myself, an employee, or managing agent \_\_\_\_\_  
Print Name

OR

\_\_\_\_\_ That if a firm was used to perform mold assessment and mold remediation or abatement all work was performed in accordance with Article 32 of New York State Labor Law using safe work practices as outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04(b). And I have attached the following:

- A copy of the Mold Assessment Contractor license \_\_\_\_\_  
Firm Name

AND


- A copy of the Mold Remediation Contractor license  
**OR** the Mold Remediator's Worker Supervisor's license \_\_\_\_\_  
Firm Name

## Mold NOV

*Buildings under 10 Units (Class A, B, C violations)  
or 10 or More Units (Class A violations)*

- **IF** this item from Section 2 of CIV is checked:

OR

 That if a firm was used to perform mold assessment and mold remediation or abatement all work was performed in accordance with Article 32 of New York State Labor Law using safe work practices as outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04(b). And I have attached the following:

- A copy of the Mold Assessment Contractor license \_\_\_\_\_  
Firm Name

AND

- A copy of the Mold Remediation Contractor license  
**OR** the Mold Remediator's Worker Supervisor's license \_\_\_\_\_  
Firm Name

**THEN** required documents must be submitted:

- Is the firm's mold assessment contractor license provided?
- Is the firm's mold remediation license **or** the supervisor's mold abatement worker license provided?

# Mold NOV

*Buildings with 10 or More Units  
(Class B and C violations)*





# Mold NOV

## *Buildings with 10 or More Units (Class B and C violations)*

CIV 194 MOLD (REV. 2/2019) 10 or More Units (Class B and C)

**AGENCY COPY**

CERTIFICATION OF CORRECTION OF VIOLATION(S)  
Complete entire form and sign below.

State of New York

Violations covered under this NOV **MUST** be accompanied by:

**6 Listed Documents**

have listed was (were) corrected, including the source of the mold condition, in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04(b) on \_\_\_\_\_ (date) by firms licensed to perform mold assessment and mold remediation or abatement in accordance with New York State Labor Law Article 32. Accordingly, I have attached all of the following:

- A copy of the Mold Assessment Contractor license \_\_\_\_\_ Firm Name
- A copy of the Mold Remediation Contractor (or Supervisor) license \_\_\_\_\_ Firm Name
- Affidavit of Mold Assessment;
- Affidavit of Mold Remediation;
- Department of Environmental Protection's (DEP) Mold Remediator's filing receipt; AND
- DEP's Mold Assessor's filing receipt.



# Mold NOV

## *Buildings with 10 or More Units (Class B and C violations)*

All six documents listed on the CIV must be provided!

Law Article 32. Accordingly, I have attached all of the following:

- A copy of the Mold Assessment Contractor license \_\_\_\_\_ Firm Name
- A copy of the Mold Remediation Contractor (or Supervisor) license \_\_\_\_\_ Firm Name
- Affidavit of Mold Assessment;
- Affidavit of Mold Remediation;
- Department of Environmental Protection's (DEP) Mold Remediator's filing receipt; AND
- DEP's Mold Assessor's filing receipt.

3 documents from Mold Assessor

- For buildings with 10 or more units, the Owner **MUST ALWAYS** use licensed contractors, and all listed documents are *always* required.

3 documents from Mold Remediator



# Contractor Documents

## FIRST Required Document

PROVIDE: *Assessment Firm's Mold Assessor License*

Company name and address

**WE ARE YOUR DOL**  
Department of Labor

**NEW YORK STATE - DEPARTMENT OF LABOR**  
DIVISION OF SAFETY AND HEALTH  
LICENSE AND CERTIFICATE UNIT  
STATE CAMPUS BUILDING 12

**Mold Assessor Company License**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LICENSE NUMBER: \_\_\_\_\_  
DATE OF ISSUE: \_\_\_\_\_  
EXPIRATION DATE: \_\_\_\_\_

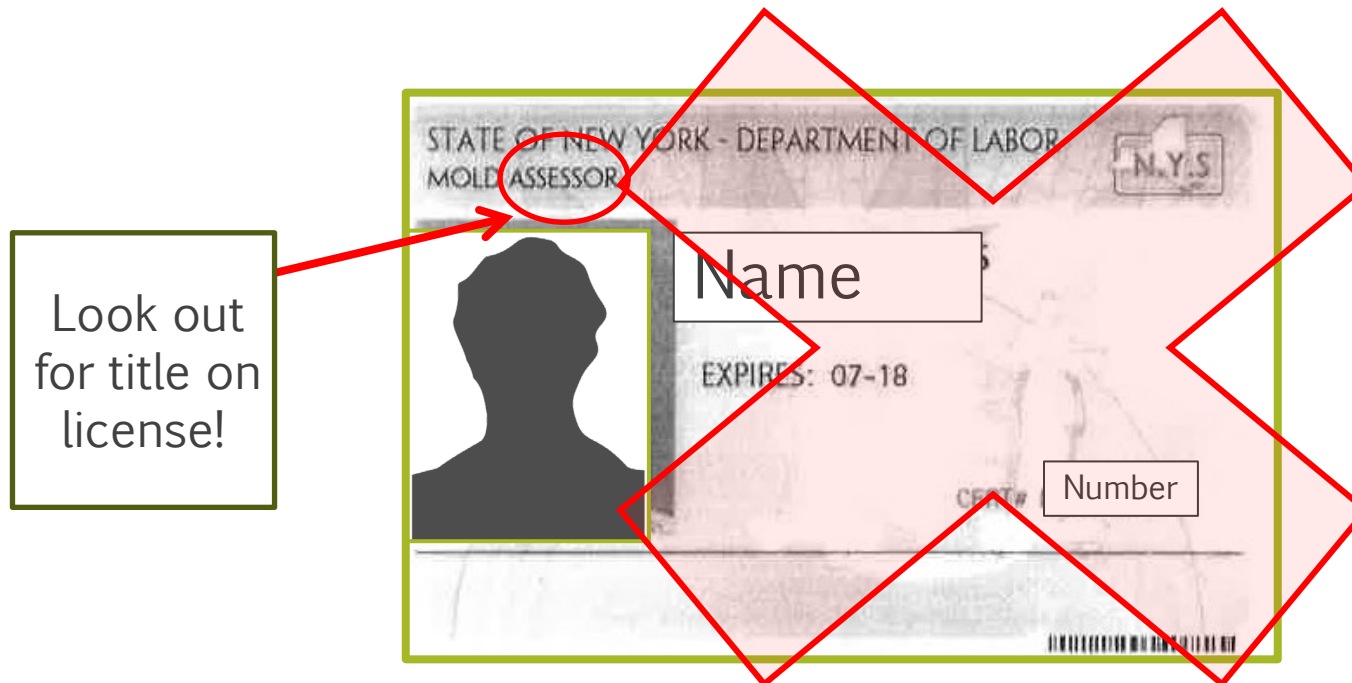
This license is valid only for the contractor named above

*A. Phillips*  
Amy Phillips, Director  
FOR THE COMMISSIONER OF LABOR

EXCELSIOR

## Contractor Documents

Example: DO NOT PROVIDE  
*Individual Workers' Mold Assessor License*



NYS Dept. of Labor also issues Mold Assessor licenses to individual workers, but the only kind of Mold Assessor license HPD accepts is the **firm's** Mold Assessor license shown previously.



# Contractor Documents

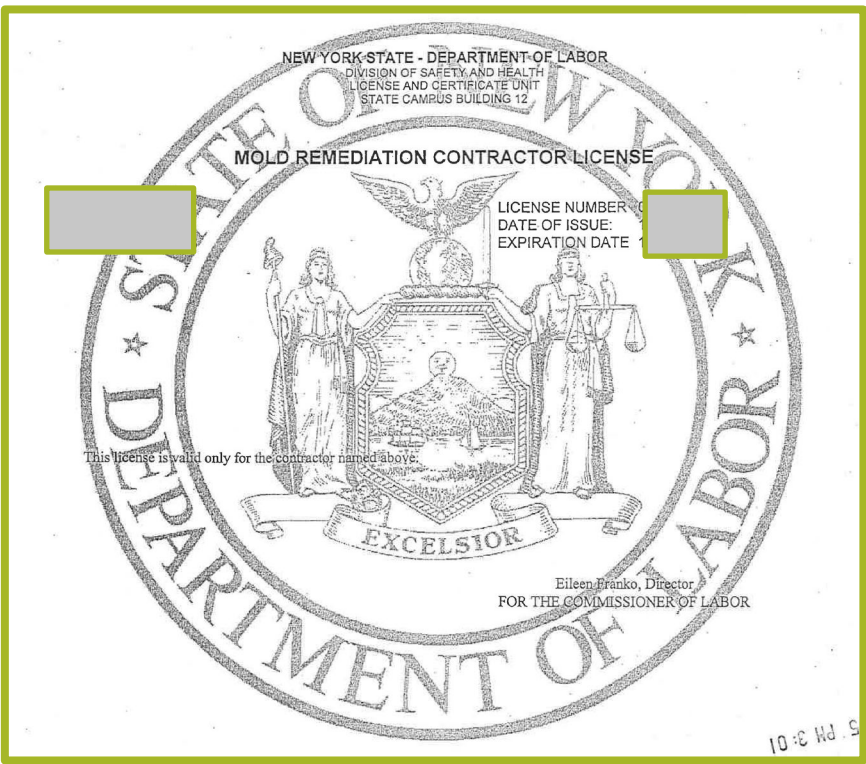
Mold

## SECOND Required Document Detail:

### Remediation Firm's Mold Remediation License OR Remediation Firm's Mold Abatement Worker Supervisor's License

*Remediation Firm's Mold Remediation License*

*Remediation Firm's Mold Abatement Worker – Supervisor License*



OR



**Note:** HPD only accepts the 'Mold Abatement Worker **Supervisor** License.' HPD will never require, and will not accept, the 'Mold Abatement Worker License'.

# Contractor Documents

## THIRD Required Document

### *Affidavit of Mold Assessment*

#### Affidavit of Mold Assessment

Dated: \_\_\_\_\_

Licensed Mold Assessor's Firm Name: \_\_\_\_\_

Mold Assessor's Firm License #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Firm's Address: \_\_\_\_\_

Tel: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_ Apt: \_\_\_\_\_

Violation Number(s): \_\_\_\_\_

I, \_\_\_\_\_, the licensed mold assessor for the abovementioned address, hereby swear that I prepared the mold remediation plan on \_\_\_\_\_, 20\_\_\_. I completed the post-remediation assessment on \_\_\_\_\_, 20\_\_ and determined that the licensed mold remediator corrected the mold hazard violation(s) using methods consistent with the mold remediation plan; the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04; and the minimum work standards pursuant to Title 2 of Article 32 in the New York State Labor Law. I have provided the owner with a copy of the Post-Remediation Assessment Form. A copy of my mold assessment license in effect when the work was completed is attached, along with a filing receipt from the Department of Environmental Protection indicating submission of the Post-Remediation Assessment pursuant to Administrative Code §24-154.1.

Sworn to me this:

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Phone Number

THE MAKING OF A FALSE STATEMENT IS A CRIME  
PUNISHABLE BY A FINE AND/OR IMPRISONMENT

Rev. 1/2019  
Sworn Statement from the Mold Assessor

*\*Buildings with 10 or  
More Units  
(Class B and C  
violations)*

# Contractor Documents

## FOURTH Required Document

### *Affidavit of Mold Remediation*

**Affidavit of Mold Remediation**

Dated: \_\_\_\_\_

Licensed Mold Remediation Firm Name: \_\_\_\_\_

Mold Remediator's Firm License #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Mold Remediation Supervisor License #: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
(if applicable)

Firm's Address: \_\_\_\_\_

Tel: \_\_\_\_\_ Email: \_\_\_\_\_

Property Address: \_\_\_\_\_ Apt: \_\_\_\_\_

Violation Number(s): \_\_\_\_\_

I, \_\_\_\_\_, the licensed mold remediator for the abovementioned address, hereby swear that I performed the work to correct the above listed mold hazard violation(s) in accordance with the safe work practices outlined in Administrative Code §27-2017.9 and 28 RCNY §54-04; and the minimum work standards pursuant to Title 2 of Article 32 in the New York State Labor Law during the period commencing \_\_\_\_\_, 20\_\_ and completed \_\_\_\_\_, 20\_\_. I have provided the owner with a copy of the remediation work plan. A copy of my mold remediation license and mold supervisor license (if applicable) in effect when the work was completed is attached, along with a filing receipt from the Department of Environmental Protection indicating submission of the mold remediation work plan pursuant to Administrative Code §24-154.1.

Sworn to me this:

\_\_\_\_\_ day of \_\_\_\_\_ Signature \_\_\_\_\_

Notary Public \_\_\_\_\_ Print Name \_\_\_\_\_

Phone Number \_\_\_\_\_

THE MAKING OF A FALSE STATEMENT IS A CRIME  
PUNISHABLE BY A FINE AND/OR IMPRISONMENT

Rev. 1/2019  
Sworn Statement from the Mold Remediator

Information must match whichever document was provided:

Remediation Firm's License  
**OR**  
Remediation Firm's Supervisor's License

*\*Buildings with 10 or More Units (Class B and C violations)*



# Contractor Documents

## FIFTH Required Document

### *Mold Assessor's NYC Department of Environmental Protection (DEP) Filing Receipt*

**From:** NYC DEP <no-reply@wufoo.com>  
**Sent:** Monday, January 14, 2019 1:27 PM  
**To:** [REDACTED]  
**Subject:** Mold Post-Remediation Assessment Part 1

**POST-REMEDICATION**

DEP acknowledges receipt of your Mold Post Remediation Form and Mold Post Certification Form. Receipt of such documents does not indicate that the work was reviewed by the DEP nor complies with all applicable laws and regulations.

**Application number:** 9  
**Date:** 2019-01-14 13:22:23  
**Property Address:** Gold Street  
**Property Apt. #:**  
**Property City:** BROOKLYN  
**Property Borough:** Manhattan  
**Property Zip Code:** 11221

**Mold Post-Remediation Assessment Part 1**

**Mold Assessment Contractor Name \*** [REDACTED]  
**Mold Assessment License Number \*** [REDACTED]  
**Expiration Date \*** Saturday, August 1, 2020  
**Mold Assessment Contractor Address \*** [REDACTED]  
United States  
**Mold Assessment Contractor Email \*** [REDACTED]  
**Mold Assessor Name \*** [REDACTED]  
**Mold Assessor DOL License Number \*** [REDACTED]  
**Mold Assessor Contact Person \*** [REDACTED]

This 'receipt' is in the form of an email: provide a printed copy for HPDs records.

*\*Buildings with 10 or More Units (Class B and C violations)*





# Contractor Documents SIXTH Required Document *Mold Remediator's NYC Department of Environmental Protection (DEP) Filing Receipt*

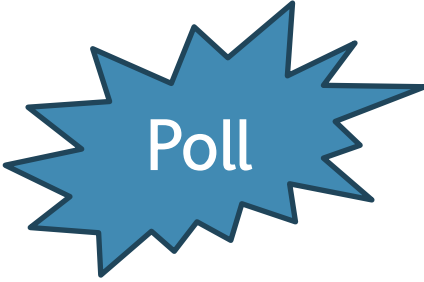
Date: 2019-02-12 21:23:36  
 Property Address: [REDACTED]  
 Property Apt. #: 24f  
 Property City: bronx  
 Property Borough: Bronx  
 Property State: NY  
 Property Zip Code: 10475

Applicant Name: [REDACTED]  
 Applicant DOL License Number: [REDACTED]

**Mold Remediation Work Plan Background Info**

Type of Notification *	Original
Emergency Notification* *	Yes
Property Street Address *	[REDACTED]
Property Apartment Number	24f
Property City *	bronx
Property Borough *	Bronx
Property State *	NY
Property Zip Code *	10475
Type of Facility *	Residential
Bin *	[REDACTED]
Block *	[REDACTED]
Lot *	[REDACTED]
Is the Activity Conducted in a Government Owned Building? *	No
Building Owner Name *	Subash Thomas
Building Owner Contact Person *	Subash Thomas

This 'receipt' is in the form of an email: provide printed copy for HPDs records.



*\*Buildings with 10 or More Units (Class B and C violations)*



# Mold Upgrades





# New Feature of LL55

Local Law 55 introduced a unique feature for Mold Violations in Multiple Dwellings: violation upgrades for violations that are not corrected.

- Each time a Mold violation is upgraded from **A→B** or **B→C**, the violation number will change. The old violation will be closed and a 'new' violation will be issued.
- **Tip:** Keep careful track of mailings from HPD and/or visit HPDOnline to ensure that any paperwork you submit to HPD references the current violation number for the condition.



# Mold upgrades, A→B

Mold


Class A Mold violations will upgrade to Class B Mold violations if:

- Owner fails to correct and certify on time

*or*

- Owner submits a false certification

The Owner will receive a new Notice of Violation for a Class B Mold Violation, with a new correction deadline. The Class A Violation Number will be referenced in the violation description. The Class A violation will be 'closed' and replaced with the Class B violation that will have a new violation number.



VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
[REDACTED]	550	§ 27-2017.3 HMC: TRACE AND REPAIR THE SOURCE AND ABATE THE VISIBLE MOLD CONDITION... APPROXIMATELY 7 SQUARE FEET ON SOUTH WALL IN THE BATHROOM LOCATED AT APT B6, 2nd STORY, 1st APARTMENT FROM EAST AT SOUTH , SECTION AT SOUTH  ORIGINAL VIOLATION 12914659 ISSUED 15-FEB-19 HAS BEEN UPGRADED TO CLASS B PER ADMINISTRATIVE CODE §27-2017.3a(3)(a) or (b).

**Note** For dwellings with 10 units or more, this upgrade to Class B will now *require* the use of licensed contractors, where for Class A violations in dwellings with 10 units or more the Owner would retain the option to have his or her own employees do the work.



# Mold upgrades, B→C

Mold

Class B Mold violations will upgrade to Class C Mold violations if:

- HPD **reinspects** after the certification period is over and finds the violation is not complied
- or*
- Owner submits a false certification

The Owner will receive a new Notice of Violation for a Class C Mold Violation, with a new certification deadline. The Class B Class Violation Number will be referenced in the violation description.

VIOLATION NO.	ORDER	VIOLATION DESCRIPTION
13026956	550	§ 27-2017.3 HMC: TRACE AND REPAIR THE SOURCE AND ABATE THE VISIBLE MOLD CONDITION... APPROXIMATELY 15 SQUARE FEET ON WEST WALL IN THE BATHROOM LOCATED AT APT 3L, 3rd STORY, 1st APARTMENT FROM EAST AT SOUTH  ORIGINAL VIOLATION 12892269 ISSUED 04-FEB-19 HAS BEEN UPGRADED TO CLASS C PER ADMINISTRATIVE CODE § 27-2017.3a(5)(a) or (b).

**Note** The new Class C violation will be referred to Emergency Repair if not certified.



# Overdue Mold Violations

Post-certification, HPD requires two additional steps before a Mold violation can be removed.

- (1) As with *all* overdue HPD violations, HPD must reinspect the violation and find the condition corrected (“Complied”) before the violation can be removed.
- (2) The Owner must submit a new affidavit, named the **AF7** or **AF8**, in which the Owner swears that proper work methods were used to correct the condition.

# Post-Certification Document: AF-7 and AF-8

## AFFIDAVIT OF COMPLIANCE (AF-7)

MOLD VIOLATIONS ISSUED ON OR AFTER JANUARY 19<sup>TH</sup>, 2019 – Fewer than 10 units (any class of violation) OR Class A violation for 10 or more units OR Upgraded Class B violation (any number of units)

Violation Number(s): \_\_\_\_\_ Apt # \_\_\_\_\_  
I, \_\_\_\_\_, swear or affirm under penalty of perjury as follows:  
(type or print name)

- That the apartment listed above is a unit in the following premises, \_\_\_\_\_ (print entire building address, including borough);
- That I am (select one):
  - The currently registered owner of the property
  - The currently registered managing agent of the property
  - Otherwise registered as responsible for the property
  - The currently registered officer or director of the corporation that owns the property
  - The owner or shareholder of record for a condo or cooperative unit that is tenant occupied.
- That I have read the New York City Department of Housing Preservation and Development's "Guide to Local Law 55 of 2018 Mold Work Practices" and am aware of the safe work practices required to correct mold hazards safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required practices and (check one):

\_\_\_\_\_ That I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected, including the source of the mold condition, in accordance with the applicable safe work practices in Administrative Code §27-2017.9, 28 RCNY §54-04(b) and New York State Labor Law Article 32 by myself, an employee, or managing agent;

OR

\_\_\_\_\_ That if I have examined the area(s) identified in the above-referenced violation number(s), to my knowledge such violation(s) whose number(s) I have listed were corrected, including the source of the mold condition, in accordance with the applicable safe work practices in Administrative Code §27-2017.9, 28 RCNY §54-04(b) and New York State Labor Law Article 32 by firms licensed to perform mold assessment and mold remediation and I have attached the following:

- A copy of the mold assessor's license; AND
- A copy of the mold remediator's license or mold remediation supervisor's license.

\_\_\_\_\_  
(Print Name) (Signature)  
.....  
State of \_\_\_\_\_, County of \_\_\_\_\_ Notary Stamp  
Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_  
(Notary Print Name) (Notary Signature)  
February 2023

## AFFIDAVIT OF COMPLIANCE (AF-8)

MOLD VIOLATIONS ISSUED ON OR AFTER JANUARY 19<sup>TH</sup>, 2019 – 10 or more units (original Class B violations and Class C violations)

Violation Number(s): \_\_\_\_\_ Apt # \_\_\_\_\_  
I, \_\_\_\_\_, swear or affirm under penalty of perjury as follows:  
(type or print name)

- That the apartment listed above is a unit in the following premises, \_\_\_\_\_ (print entire building address, including borough);
- That I am (select one):
  - The currently registered owner of the property
  - The currently registered managing agent of the property
  - Otherwise registered as responsible for the property
  - The currently registered officer or director of the corporation that owns the property
  - The owner or shareholder of record for a condo or cooperative unit that is tenant occupied.
- That I have read the Department of Housing Preservation and Development's "Guide to Local Law 55 of 2018 Mold Work Practices" and am aware of the safe work practices required to correct mold hazards safely and in accordance with all applicable laws;
- That the work undertaken to correct the above-referenced violation(s) was performed in accordance with the required work practices;
- That pursuant to Administrative Code §24-154, Administrative Code §27-2017.9, 28 RCNY §54-04(b), and 28 RCNY §54-05(a)(3) I have attached:
  - An affidavit from the licensed mold remediation contractor who performed the remediation of the mold hazard violation(s) stating that the work was performed pursuant to the applicable safe work practices in Administrative Code §27-2017.9, 28 RCNY §54-04(b) and the work standards in New York State Labor Law Article 32;
  - An affidavit from the licensed mold contractor stating that the mold remediation plan was prepared in accordance with Article 32 of the New York State Labor Law, and an affidavit made by the licensed mold assessor contractor stating that a post-remediation mold assessment report was prepared in accordance with New York State Labor Law Article 32.
  - A copy of the mold assessor's license;
  - A copy of the mold remediator's license or mold remediation supervisor's license;
  - Department of Environmental Protection's (DEP) mold remediator's filing receipt under Administrative Code Section 24-154;
  - DEP's mold assessor's filing receipt under Administrative Code Section 24-154.

\_\_\_\_\_  
(Print Name) (Signature)  
.....  
State of \_\_\_\_\_, County of \_\_\_\_\_ Notary Stamp  
Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_  
(Notary Print Name) (Notary Signature)  
February 2023

Even if a Landlord has already submitted a valid Certificate of Correction, once the certification deadline has passed they must fill out this new Affidavit before HPD can clear the violations.

10 or fewer units/  
Class A for 10+ Units

Class B or C  
for 10+ Units



# LL 55 Work Methods and Reinspections

For reinspections of mold violations, the Inspector will attempt to verify that proper work practices were used to remediate the condition.

For instance, an Inspector will ‘**Not Comply**’ a violation if:

- Leaks or other sources of moisture have not been fixed.
- Debris, dust and work materials relating to the Mold Remediation work have not been removed.





# Clearing Mold Violations Overdue Violations: Defect Letter

Mold



DCE/ BROOKLYN BORO OFFICE  
701 EUCLID AVENUE  
BROOKLYN, NY 11208

MOLD DEFECT LETTER  
(Rev.2/19)  
DOC ID [REDACTED]

[REDACTED]  
Brooklyn, NY 11211

THE CITY OF NEW YORK  
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT  
DIVISION OF CODE ENFORCEMENT

MOLD DEFECT LETTER  
VIOLATIONS ISSUED AFTER JANUARY 19TH, 2019

RE: [REDACTED] BK

Dear Property Owner:

An HPD inspection has confirmed that the open mold violation(s) listed in the back of this document have been corrected for [REDACTED] BK. If the multiple dwelling is under 10 units, for the violation(s) to be dismissed, you must submit the following:

- Affidavit of Compliance (No fee is required);

If your multiple dwelling has 10 or more units AND a "Class B" or "Class C" violation you must also submit:

- Affidavit of Mold Assessment (to be completed by mold assessor);
- Affidavit of Mold Remediation (to be completed by mold remediator);
- Department of Environmental Protection's (DEP) mold assessor's filing receipt; AND
- DEP's mold remediator's filing receipt.

For more information on the paperwork to be submitted, see [www.nyc.gov/hpd](http://www.nyc.gov/hpd), search Indoor Allergen Hazards.

You may submit one affidavit for all violations corrected at the same time for each apartment. The violations will be dismissed if the paperwork provided is sufficient.

Submit documents to HPD as follows: DCE/ BROOKLYN BORO OFFICE  
701 EUCLID AVENUE  
BROOKLYN, NY 11208

Need assistance? Contact your local Borough Code Enforcement Office at 212-863-6620

Thank you.  
Division of Code Enforcement

HPD sends 'Mold Defect Letters' to an Owner when:

- An HPD Inspector has reinspected the condition and found that it has been corrected AND...
- HPD has still not received the required paperwork:
  - AF7 or AF8
  - All of the same Contractor documents required by the NOV
- The proper paperwork is required before an overdue violation can be closed. If you have already submitted proper paperwork, then the violation will be closed as soon as HPD processes your submission.

# KEY TAKEAWAYS

1. Certain buildings require the use of contractors to remove mold.
2. Whenever a Mold Contractor is used, specific documents must be submitted (regardless of whether use of the contractor was required by law).
3. Use your Notice of Violation (NOV) to determine the required paperwork when certifying a violation.
4. Reference this presentation for example documents.
5. Mold Violations that are not certified on time will be upgraded to the next violation class, which will require extra steps for the Owner.

# Questions on Mold?





# Part 5: Additional Resources

# More Resources on HPD's Website

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

**NYC**  
Housing Preservation & Development

繁體中文 | Translate | Text-Size

Home About Services and Information Media Events Contact Search

What can we help you find?

Type in keywords or search terms

**1 Find Building Data**  
Search HPDOnline for complaints, violations, and more.

**2 Register Your Property**  
Property owners are required to register annually with HPD.

**3 Learn about Safety**  
Maintenance requirements for heat, hot water, lead, and other issues.

**Find Affordable Housing**  
City-sponsored rental and homeownership opportunities.

**Report a Complaint**  
Issues related to, safety, harassment, and discrimination.

**Get Help Paying**  
Rental and down-payment assistance.

**Know Your Rights**  
Tenants' rights and responsibilities.

**Preserve Housing**  
Home repair loans and preservation financing.

**Develop Housing**  
Financing programs for new construction.

**Access Section 8 Info**  
Resources for tenants and property owners.

**Do Business with HPD**  
Requests for Proposals, Qualifications, and contracts.

**Plan Your Neighborhood**  
Citywide initiatives, neighborhood focus areas, and planning.

## Highlights:

1. HPDOnline – Look up building-specific complaints, violations, repair charges, and more
2. Property registration
3. Information about specific maintenance topics, including Indoor Allergens, and a link to the ABCs of Housing



# City of New York Agency Resources

## Housing Preservation and Development (HPD):

- **Indoor Allergens:**  
<https://www1.nyc.gov/site/hpd/services-and-information/indoor-allergen-hazards-mold-and-pests.page>
- **Bedbugs:** <https://www1.nyc.gov/site/hpd/services-and-information/bedbugs.page>

## Department of Health and Mental Hygiene (DOHMH):

- **Mold:** <https://www1.nyc.gov/site/doh/health/health-topics/mold.page>
- **Pests and Pesticides:** <https://www1.nyc.gov/site/doh/health/health-topics/pests-and-pesticides.page>
- **Bedbugs:** <https://www1.nyc.gov/site/doh/health/health-topics/bedbugs.page>

*Thank you for  
joining our  
Presentation!*

For more information,  
visit [nyc.gov/hpd](https://nyc.gov/hpd)  
or call 311



Department of  
Housing Preservation  
& Development