



Department of  
Housing Preservation  
& Development

HPD's Division of Code Enforcement, is responsible for enforcing NYC Housing Maintenance Code and the NY State Multiple Dwelling Law. For more info, call an HPD office or visit [nyc.gov/hpd](http://nyc.gov/hpd)

**Bronx:**

1932 Arthur Ave, 3rd Fl.  
Bronx, NY 10457  
(212) 863-7050

**Brooklyn:**

701 Euclid Ave  
Brooklyn, NY 11208  
(212) 863-6620

210 Joralemon St. Rm. 806  
Brooklyn, NY 11201  
(212) 863-8060

**Manhattan:**

94 Old Broadway, 7th Fl.  
New York, NY 10027  
(212) 863-5030

**Queens:**

120-55 Queens Blvd, 1st Fl.  
Kew Gardens, NY 11424  
(212) 863-5990

**Staten Island:**

Borough Hall, 2nd Fl.  
St. George, NY 10301  
(212) 863-8100

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*This pamphlet contains frequently asked questions for tenants concerning orders to repair / vacate orders and is provided for your convenience only. This pamphlet is intended for informational purposes only and is not intended as legal advice.*

*For complete information, consult the law and applicable rules.*

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# Your Building Has a Vacate Order What Happens Next? *Frequently Asked Questions*



# About Orders to Repair / Vacate Orders

Your apartment or building was issued an Order to Repair/Vacate Order because there is a serious risk to your health and safety. The **New York City Department of Housing Preservation and Development (HPD)** vacates buildings for several reasons, including lack of essential services, illegal occupancy, and fire damage.

## So what happens next at my building?

- If you are being vacated due to a lack of essential services or fire damage to your apartment, your landlord/property owner must make all of the necessary repairs that led to the Order to Repair/Vacate Order so residents are allowed back in the building.
- The owner may need to wait for insurance funding and be required to hire a licensed engineer or architect to file the necessary applications with the Department of Buildings (DOB); depending on the extent of the damage, this may be a lengthy process.
- There are steps you can take to protect your tenancy if you are a rent-stabilized tenant (see next page).
- If you are being vacated because the space you were occupying was not a legal living space, you may not be allowed to return.

## Where do I stay?

### Temporary Emergency Housing Services

- If you need shelter accommodations at the time of displacement, you may qualify for relocation and supportive services through the American National Red Cross (ANRC). ANRC can provide up to two nights of hotel stay located in the same borough if possible. The ANRC hotline is [1-800-RED-CROS \(733-2767\)](tel:1-800-RED-CROS). ANRC contact info is also posted on vacated or damaged buildings.
- If you need long-term shelter (more than two nights), you may qualify for relocation and rehousing assistance from HPD Emergency Housing Services (EHS). Even if you do not need rehousing, it is helpful to register with EHS if you

## If my landlord doesn't get the permits to fix the building, is there anything I can do? How can I get my belongings?

- Your rights will vary depending on whether you live in a rent stabilized, rent controlled or market-rate apartment, and the extent of the damage to the building, among other factors.
- We recommend you consult with a lawyer familiar with NYS and NYC housing laws. There are free options for eligible tenants (next page).
- You may be allowed to retrieve your essential things, like your medication and identification, depending on the condition of your building. Contact the building owner or agent first to arrange for access.
- If you are unable to reach them, contact HPD's Special Enforcement Unit (SEU) at [212-863-8611](tel:212-863-8611); they may be able to reach the owner or agent.
- Please note that in some instances, it may be unsafe to allow retrieval and you will need to proceed with other options to address these needs.

want to be notified when your building's repairs are completed (you should also provide contact info to the property owner if you are living off-site).

- EHS services renter households who are displaced from their homes as a result of vacate orders. Services include temporary housing in an EHS shelter facility and rehousing assistance to help registered households return home or find new housing. EHS also coordinates limited moving and storage services to transport and store personal belongings.
- Contact EHS by calling [212-863-7660](tel:212-863-7660) or emailing [EHS-Remote@hpd.nyc.gov](mailto:EHS-Remote@hpd.nyc.gov)

## Can I get updates on the work being done in my building?

- You can track permit applications filed for your building online. DOB applications are available to the public through the DOB NOW Public Portal or the Building Information System (BIS).
- Once an owner files an application, you can sign up to receive automatic Job Status updates at <https://a810-efiling.nyc.gov/eRenewal/locallaw59.jsp>

## How do I know when it is safe to return?

- After the condition is corrected, the owner must request the HPD Order to Repair/Vacate Order be lifted. HPD will then inspect the work that was done and, if appropriate, rescind the Order to Repair/Vacate Order. The owner has a responsibility to contact tenants when they receive a rescission of the vacate order from HPD.
- Note that if other City agencies, such as DOB, also issued a Vacate Order, that Vacate must be dismissed as well before you can reoccupy.
- If you have registered with EHS, that office will try to contact you to advise that the vacate is being lifted.

## I can't afford a lawyer, are there options for free legal services?

- If you can't afford an attorney, call [311](tel:311) and ask for the Tenant Helpline. The Mayor's Office to Protect Tenants also publishes a list of free legal service providers on its website [nyc.gov/tenantprotection](http://nyc.gov/tenantprotection). Please note there are eligibility requirements.

## I am a Rent Regulated Tenant. How can I protect my rights?

- As a rent stabilized/rent controlled tenant, you can file to legally reduce your monthly rent to \$1/month to protect your tenancy rights. Many people live in rent regulated apartment and do not know this.
- NYS Division of Housing & Community Renewal (DHCR) has more information at [hcr.ny.gov/division-housing-and-community-renewal](http://hcr.ny.gov/division-housing-and-community-renewal)

## Resources

**NYC Department of Housing Preservation & Development (HPD)**  
[nyc.gov/hpd](http://nyc.gov/hpd)

**NYC Mayor's Office to Protect Tenants**  
[nyc.gov/tenantprotection](http://nyc.gov/tenantprotection)

**NYS Division of Housing & Community Renewal (DHCR)**  
[hcr.ny.gov/division-housing-and-community-renewal](http://hcr.ny.gov/division-housing-and-community-renewal)

**DOB Office of Tenant Advocate (OTA)**  
(212) 393-2949  
[tenantadvocate@buildings.nyc.gov](mailto:tenantadvocate@buildings.nyc.gov)

**Buildings Information System (BIS)**  
[nyc.gov/bisweb](http://nyc.gov/bisweb)

**DOB NOW Public Portal**  
[nyc.gov/dobnow](http://nyc.gov/dobnow)

## Emergency Shelter

*These entitles provide emergency relocation services and rehousing assistance to households who have been displaced from their homes as a result of fires or City-issued vacate orders.*

**American Red Cross Disaster Service**  
[1-800-RED-CROS \(733-2767\)](tel:1-800-RED-CROS)

**HPD Emergency Housing Services Unit (EHS)**  
(212) 863-7660  
[ehs-remote@hpd.nyc.gov](mailto:ehs-remote@hpd.nyc.gov)

## Contact HPD

*Borough Offices listed on the pamphlet cover. See above for EHS contact.*

**HPD Special Enforcement Unit (SEU)**  
(212) 863-8611