

Clear Violations and Orders

HPD is responsible for enforcing State and City laws and codes relating to housing quality and safety. For units subsidized with Section 8, HPD is also in charge of ensuring compliance with quality standards. The agency issues Housing Maintenance Code violations, [Orders to Correct](#), and [Section 8 Housing Quality Standards](#) failure notices.

How do I know if there are open violations or Orders on my property?

Use [HPDONLINE](#) to find out information about violations and Orders. Violations have a hazardous class of A, B or C. Orders appear on the violation list with a hazardous class of “I”. Owners and other interested parties can also obtain print-outs of outstanding building violations for a fee by contacting our [Borough Service Centers](#).

I just received a violation. What should I do?

You should correct the condition and then certify, either by mail or by using [eCertification](#), that the violations were corrected within the required time period specified on the Notice of Violation. You can also seek a postponement for the correction of some violations. Review the back of your Notice of Violation, [Certification instructions](#), our [Clearing HPD Violations FAQ](#) or call a [Borough Service Center](#) for more information. For specific details about certification of lead-based paint violations, see the [Lead-Based Paint](#) section of our website. For specific details about certification of mold violations, see the [Mold](#) section of our website.

What could happen if I do not correct a violation or if I do not notify HPD of the correction?

- All violations have civil penalties associated with failing to correct. HPD could seek enforcement of those civil penalties in Housing Court through the [Housing Litigation Division](#).
- HPD may seek to correct the correction condition through the [Emergency Repair Program](#) and will bill the property for the
- Open violations may trigger [enhanced enforcement](#) by HPD, through programs created to identify buildings in distress. These programs focus inspection and other HPD resources on your property and may lead to the issuance of Orders.
- The inspection may be counted as an inspection leading to or resulting in a fee of \$200. HPD began implementing Local Law 65 on August 20, 2015 as follows: *If the department has performed two or more complaint-based inspections in the same dwelling unit within a twelve-month period, (B) each such inspection has resulted in the issuance of a hazardous or immediately hazardous violation, and (C) not all such violations have been certified as corrected pursuant to this section, the department may impose an inspection fee of two hundred dollars for the third and for each subsequent complaint-based inspection that it performs in such dwelling unit within the same twelve-month period that results in the issuance of a hazardous or immediately hazardous violation, provided that the department may by rule increase the fee for inspections performed during the period of October first through May thirty-first.* All fees are billed through the Department of Finance and may become tax liens if not paid within the required period.

I cannot find the original certification document, I received a Preliminary Notice and wish to certify or I wish to certify some violations now and others at a later time. How can I certify correction?

In response to any of these situations, use the appropriate form provided below to certify correction or you can use [eCertification](#) (for non-lead and non-mold violations).

- [Certification of Correction of Violations/Failures](#) (non-lead, non-heat violations): Use this form when all violations on a Notice of Violation cannot be certified at one time or you do not have the original Notice of Violation. Include the original NOV ID, the violation number and all other information required about who completed the repair. Sign the form, and have your signature notarized. The form must be returned to the [Borough Service Center](#) in which the building is located.
- [Certification of Correction of Violations—Heat](#): Use this form for Heat and Hot Water violations

- [Certification of Correction of Violations—Lead-Based Paint](#): Use this form for Lead-Based Paint Violations
- [Certification of Correction of Violations – Mold Violations](#) (Class B or Class C): Use this form for Class B or Class C Mold Violations.
- [Certification of Correction of Violations—Reissuance](#): Use this form for Reissued violations.
- [Certification of Correction of Failure](#): Use this form for Housing Quality Standards failures where there is no related Housing Code violation.

You may also request extra time to correct Lead-Based Paint Violations, or, in the case of a presumed lead-based paint violation (Order #616), you may contest the violation using XRF testing or, in certain cases, paint chip sampling.

- [1st Request for Postponement to Correct Lead-Based Paint Violation](#)
- [2nd Request for Postponement to Correct Lead-Based Paint Violation](#)
- [Contestation of Lead-Based Paint Violation \(Form L-06\)](#) (for Order #616 only)

I don't understand how to correct the violation that was issued. What can I do?

The [Maintenance Requirements](#) page provides details on specific violation types and how to address them. Owners can also get further explanation from Code Inspectors in our [Borough Service Centers](#).

I am not receiving the Notices of Violations even though I own the building. Why not?

Notices of Violation (NOVs) are mailed to the last validly registered owner's managing agent. If You must submit a new [Property Registration](#) in order to change the address to which NOVs are being mailed.

I have violations on my building that are no longer eligible for certification. How can I clear them?

After the certification deadline has passed, building owners may file a [Dismissal Request form](#) with their Borough Service Center for a fee or seek a [Violation Reissuance](#), which is a free certification program. You can review more details about your options and how to proceed with [clearing old violations](#), review our [Clearing HPD Violations FAQ](#) or call a [Borough Service Center](#) for more information.

The clearance of lead-based paint violations has additional requirements. We recommend you visit [Lead-Based Paint](#) and [HPDONLINE](#) (enter your property address and select the option on the left hand toolbar to review Overdue Lead-based paint violations for specific instructions). One or both of the following affidavits will be required for removing the lead-based paint violations:

- [Affidavit of Compliance AF-5: Lead-based paint violations – correction after August 1, 2004](#)
- [Affidavit of Compliance AF-3/4: Lead-based paint violations – correction before August 1, 2004](#)

Class B and Class C mold violations issued on/after March 1, 2018 also requires an additional affidavit and may require additional documentation. See [Mold](#) for more information.