

The City of New York
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
Division of Code Enforcement

DISMISSAL REQUEST FORM

1. BUILDING TO BE INSPECTED

Building Address: _____ Borough: _____

Number of Dwelling Units: _____ Multiple Dwelling Registration Number: _____

Item Numbers To Be Inspected:

- ALL
- ONLY _____

Do you want to be notified to schedule the inspection? ___ YES ___ NO

2. REQUESTOR INFORMATION

Name (Print): _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: (____) _____

Email: _____

Requestor is: (Check applicable box) Owner Managing Agent

3. REASON FOR REQUEST

- Building Sale Fire/Liability Insurance Refinancing
- Release of Escrow Participation in J-51 Program
- Other _____

4. REQUESTOR SIGNATURE

Signature: _____ Date: _____

If this form is for a private dwelling, condominium or cooperative apartment, you are also required to submit the Dismissal Request Affidavit of Ownership.

CODE ENFORCEMENT BOROUGH OFFICES

- Manhattan: 94 Old Broadway, 7th Floor, New York, N.Y. 10027
- Bronx: 1932 Arthur Avenue, 3rd Floor, Bronx, N.Y. 10457
- Brooklyn: 701 Euclid Avenue, Brooklyn, N.Y. 11208
210 Joralemon Street, Room # 809, Brooklyn, N.Y. 11201
- Queens: 120-55 Queens Boulevard, 1st Floor, Kew Gardens N.Y. 11424
- Staten Island: Borough Hall, 2nd Floor, St. George, N.Y. 10301

THIS SECTION IS FOR CODE ENFORCEMENT USE ONLY	
Date Received: _____	Number of violations pending: _____
_____ Mail _____ Walk-In _____	Accepted _____ Rejected _____
Inspection Report Due Date: _____	
Note: _____	

This form was processed by: _____	

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DISMISSAL REQUEST FORM INSTRUCTIONS

The Dismissal Request Program provides owners and managing agents with an opportunity to have their property inspected for the purpose of having corrected code violations removed from the Department of Housing Preservation and Development's ("HPD") records.

A Dismissal Request form may be rejected by HPD when: there is no current or valid multiple dwelling registration for the building which is the subject of the form ("subject building"); there is an unpaid emergency repair charge for repairs performed by or on behalf of the Department; when the owner, managing agent, or subject building is the subject of pending HPD-related litigation; when the owner, managing agent, or subject building is the subject of an uncollected judgment arising from HPD-related litigation.

If the Dismissal Request form is accepted by HPD, the agency will use its best efforts to inspect the subject building and mail the results of the inspection to the requestor within 45 business days of HPD's receipt of the Dismissal Request form when submitted between June 1st and September 30th or 90 business days of HPD's receipt of the Dismissal Request form when submitted between October 1st and May 31st. If an inspection report is not timely mailed, the Dismissal Request fee will be refunded and the inspection results provided to you as soon as possible thereafter. A maximum of two attempts will be made to inspect all violations that are part of the Dismissal Request. A Dismissal Request inspection may, if conditions warrant, result in the issuance of additional violations. **CORRECTED VIOLATIONS THAT ARE NOT INSPECTED WILL NOT BE REMOVED FROM THE HPD'S RECORDS. YOU MUST MAKE ALL EFFORTS TO ASSIST HPD INSPECTORS IN OBTAINING ACCESS.**

Section 1: Provide the address of the subject building (house number, street name and borough) and the number of dwelling units it contains. If the subject building has more than two dwelling units, you must indicate the Multiple Dwelling Registration number. All violations on record will be inspected unless specific violations are indicated. You should indicate whether you would like to have HPD contact you to schedule a Dismissal Request inspection

Section 2: Provide your name, address, daytime telephone number and email. The inspection results will be mailed via first class mail to this address. Indicate whether you are the owner or managing agent of the subject building by checking the appropriate box. A Dismissal Request form will only be accepted **if requested and signed** by the owner or managing agent of the subject building. (A Dismissal Request form may be submitted to the Code Enforcement Borough Office by mail or in person.)

Section 3: Indicate the reason for the request.

Section 4: Sign and date the form.

Fees: Each Dismissal Request must be accompanied by a fee for a scheduled amount based on the dwelling classification and number of open violations at the time the Dismissal Request form is submitted to the Code Enforcement Borough Office, as follows:

Dwelling Classification	Fee
Private Dwelling	\$250
Multiple Dwelling with 1 - 300 open violations.....	\$300
Multiple Dwelling with 301 – 500 open violations.....	\$400
Multiple Dwelling with 501 or more open violations.....	\$500

Submission: Mail or deliver the completed form with a certified check or money order, made payable to the NYC Commissioner of Finance, to the Code Enforcement Borough Office in the borough where the subject building is located. Please indicate the building registration number on the check or money order.

Post-Dismissal Request Inspection Self-Certification

During a Dismissal Request inspection, if Code Enforcement inspectors gain access to at least 50% of the violations **AND** 80% of those violations are observed corrected, pending violations that were not inspected may be dismissed through a self-certification (“CV-1”) process.

Violations that were written as order numbers 555, 610, 611, 612, 616, 617, 618, 765, 766, 767 and 768 or that concern overcrowding or that exist in a public area will **NOT** be dismissed through the self-certification process. **Violations that require documentation may be dismissed through the self-certification process ONLY when appropriate documentation is filed with HPD.** Form DR-1a, which can be obtained on-line at www.nyc.gov/hpd or at a Code Enforcement Borough Office, details required paperwork for specific violation types (order numbers). The self-certification “CV-1” form is available at each Code Enforcement Borough Office.

DISMISSAL REQUEST- VIOLATIONS REQUIRING DOCUMENTATION

Included among the outstanding violations for which you may request a Dismissal Request may be violations that require the submission of documents prior to dismissal. Below, please find outlined a description of these violations and an explanation of how you can comply with the violation. All HPD forms are available on-line at any Code Enforcement Borough Office (see back) or on-line at <http://www.nyc.gov/html/hpd/html/owners/owner-forms.shtml>.

LEAD-BASED PAINT HAZARD VIOLATIONS on record with the Department of Housing Preservation and Development (HPD) can be dismissed *ONLY IF* the appropriate additional documentation regarding the work methods and cleanup process accompanies a completed Dismissal Request form. Even if the lead paint condition appears to be repaired, the violation cannot be dismissed without this documentation. If you choose to proceed with your Dismissal Request without producing this documentation, HPD may commence further action to identify and address any remaining lead violation. Such action may include taking dust wipe samples from areas in units where pending lead-based paint hazard violations appear to have been corrected and contracting for cleaning and retesting if lead dust is found in those areas. You will be held responsible for any expense HPD incurs in the course of determining whether a lead-based paint violation still exists and correcting it if you do not provide appropriate documentation of work methodology. {A detailed description of the work practices that must be used to correct current lead paint hazard violations is included in an HPD pamphlet – GUIDE TO LOCAL LAW #1 OF 2004 WORK PRACTICES - available at the Borough Offices and on the HPD website (<http://nyc.gov/html/hpd/>)}. If you have any questions, you may speak with the Public Interviewer at a Code Enforcement Borough Office, call the Lead Hotline at (212) 863-6458, or visit the HPD website at NYC.gov/hpd.

Order Number	In order to have lead-based paint violations dismissed, you must submit:
<p>555 (“remove or cover in a manner approved by the department peeling lead paint”) 606, 607, 610, 611, 612 (“correct the lead-based paint hazard”)</p>	<ul style="list-style-type: none"> • Form AF-3/4 (an affidavit certifying that work was performed correctly) • A copy of the State-certified laboratory analysis of all surface dust samples taken (www.hud.gov provides a list of certified laboratories) • A copy of the Certificate of Training of the individual who took surface dust samples. The Certificate of Training must be valid for the period when the test was taken. NYC Department of Health and Mental Hygiene Certificates of Training are not valid as of August 2004. • If section 3c is checked on the Form AF-3/4: <ul style="list-style-type: none"> • A sworn statement made by the agent or employee who performed the work to correct the lead-based paint hazard violation(s) stating that the work was performed in accordance with §27-2056.11 of Article 14 of the Housing Maintenance Code and §11-06 of Title 28 of the Rules of the City of New York; • A copy of the EPA certification for the firm that performed the work to correct the lead-based paint hazard violation(s)

<p>616 (“correct the lead-based paint hazard - presumed lead paint”)</p> <p>617 (“correct the lead-based paint hazard - paint that tested positive for lead content”)</p>	<ul style="list-style-type: none"> • Form AF-5 (an affidavit certifying that work was performed correctly) • A copy of the State-certified laboratory analysis of all surface dust samples taken (www.hud.gov provides a list of certified laboratories) • A copy of the Certificate of Training of the individual who took surface dust samples. The Certificate of Training must be valid for the period when the test was taken. NYC Department of Health and Mental Hygiene Certificates of Training are not valid as of August 2004. • A sworn statement made by the agent or employee who performed the work to correct the lead-based paint hazard violation(s) stating that the work was performed in accordance with §27-2056.11 of Article 14 of the Housing Maintenance Code and §11-06 of Title 28 of the Rules of the City of New York; • A copy of the EPA certification for the firm that performed the work to correct the lead-based paint hazard violation(s)
<p>618 (“correct failure to provide to the department within 45 days of demand all records required to be maintained by owner”)</p>	<ul style="list-style-type: none"> • Contact the Lead-Based Paint Inspection Unit’s COTA Unit at 212-423-5065 for details regarding the dismissal of this violation.

OTHER VIOLATIONS REQUIRING DOCUMENTATION FOR DISMISSAL

Order Number	Forms/Documents Required
703 (Smoke Detectors)	File a “Smoke Detectors - Certificate of Installation” or a “Smoke and Carbon Monoxide Detector - Certificate of Installation” form in accordance with HPD rules and regulations.
771, 772, 773, 774, 775, 776, 777 (Registration)	File with this department a “Property Registration Form” (OHP Form 521 [Rev 5/99]) There is a \$13 fee associated with this form and the form must be signed by the owner and managing agent.
491/494/495/741 (Alterations)	If you have legalized an alteration, you must provide plans and permits approved by the Department of Buildings. If you have restored to the legal condition, you do not need to provide documents.
1501 (CO Detecting Device)	File a “Carbon Monoxide - Certificate of Installation” or “Smoke and Carbon Monoxide Detector - Certificate of Installation” Form (CO/SD –1 [9/04]) in accordance with HPD rules and regulations or complete the online filing. If your building does not require carbon monoxide detectors in whole or in part, you may file an exemption form.

BOROUGH OFFICES

Manhattan
94 Old Broadway, 7th Fl
New York, NY 10027

Bronx
1932 Arthur Ave.
Bronx, NY 10457

Brooklyn
701 Euclid Ave.
Brooklyn, NY 11208

Queens
120-55 Queens Blvd.
Kew Gardens, NY 11424

Staten Island
Borough Hall
St. George, NY 10301

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DISMISSAL REQUEST AFFIDAVIT OF OWNERSHIP

SS: _____

State of New York

County of _____

I, _____, swear or affirm under penalty of perjury as follows:

That I am: (CHECK THE APPLICABLE BOX)

- The owner of the private dwelling located at _____.
- The owner of a condominium unit located at _____, apartment # _____.
- The owner of a share of a cooperative that owns the property located at _____, apartment # _____.

Signature

Sworn to before me this _____

Day of _____, 20__
