



FIGURING OUT THE FDNY: PROPERTY MANAGER SURVIVAL KIT

1 How does the FDNY affect my buildings?

The Fire Department of the City of New York enforces public safety codes by performing inspections on buildings, structures, facilities, vehicles and other equipment to ensure that safety codes are being obeyed. Owners & managers are responsible for staying up-to-date with new FDNY regulations and resolving all violations affecting their properties.



Buildings



Structure



Facilities



Equipment

3 What are FDNY Certificates of Fitness?

- FDNY Certificates of Fitness are issued to individuals who have been tested to perform specific safety-related tasks or manage specific pieces of FDNY-related equipment (boilers, systems, etc.)
- Most COFs must be renewed annually and have different testing requirements. **The FDNY will issue Notices of Violation for failure to hold a specific COF or have a COF holder onsite.**

4 What is an FDNY Criminal Summons?

- If an FDNY Violation Order is not corrected within the specified time frame, the FDNY may issue a Criminal Summons requiring an appearance in New York Criminal Court.
- If an entity or person fails to appear in Criminal Court, **it could result in default criminal penalties, an automatic misdemeanor charge, and even a bench warrant for arrest.** If a criminal summons is received, a lawyer should be consulted.

2 What are FDNY Permit Accounts?

FDNY permit accounts relate to the use, operation and maintenance of equipment and space, as well as fire prevention and safety systems regulated by the FDNY.

- Each permit has an account number for FDNY billing purposes.
- Building owners, managers, or tenants are responsible for the upkeep of devices, equipment or building systems, including inspections, renewals, and any violations that occur.
- Most common types: A/C Refrigeration, Sprinkler/Standpipes, Range Hoods, Fuel Oil, Fire Alarms and Place of Assembly permits.

5 Common Violation Codes and what they mean:

When issued, an NOV will reference the "Violating Condition" that caused the violation to be written. The most common "Violating Condition" codes are:

- VC3** Failure to pay/post permits for equipment requiring permit accounts
- VC20** Failure to hold inspections for equipment requiring permit accounts
- VC17** Failure to hold Certificates of Fitness
- VC12** Unwarranted Fire Alarms
- VC5** Inspection Record-Keeping
- VC6** FDNY Required Signage and Markings



FDNY Violations & Resolutions

NOVs

are associated with a fine and hearing through the ECB, & have the number format: 12345678L.

Commonly Issued For:

- Expired Permits
- Markings and Signage
- Expired/Lack of Certificate of Fitness
- Missed inspections

How to Correct:

Look for the ECB hearing date and the cure date (if offered).

- You can submit a Certificate of Correction by the cure date showing proof that the violations have been corrected.
- If the FDNY accepts the Certificate of Correction before the cure date, you will not have to attend the hearing or pay the fine.
- If there is no cure date or you're unable to correct by the cure date, you must attend the ECB hearing on the date noted.

Penalties:

If you're found in violation at the hearing, you must pay a fine to the DOF. Fines start at \$1000 & increase from there.

Additional Notes:

It's a common misconception that showing proof at an ECB hearing or simply paying the ECB fine will close a violation; however, an NOV remains open until the FDNY receives a Certificate of Correction noting all violating conditions outlined in the NOV.

Helpful Links

About FDNY	http://www1.nyc.gov/site/fdny/about/overview/overview.page
Business	http://www1.nyc.gov/site/fdny/business/all-certifications/all-certifications.page
Certificates of Fitness	http://www1.nyc.gov/site/fdny/business/all-certifications/certificates-of-fitness.page
Education	http://www1.nyc.gov/site/fdny/education/fire-and-life-safety/fire-life-safety.page
FDNY Rules	https://www1.nyc.gov/site/fdny/about/resources/code-and-rules/fire-department-rules.page
Inspections	http://www1.nyc.gov/site/fdny/business/inspections/inspection-types.page

VOs

require correction via FDNY re-inspection and have the number format: E123456.

Commonly Issued For:

- Blocked Egress
- Occupancy over limit
- Fire Safety Plan
- Emergency Action Plan

How to Correct:

- You must comply with the order in the 0-90-day time frame indicated, then contact the District Office that issued the violation for a re-inspection.
- If the violations are completely corrected, the inspector will dismiss the VO and the establishment will pass its inspection.

Penalties:

Failure to comply with a VO can lead to a criminal summons, requiring an appearance in criminal court.

Additional Notes:

This compliance information can only be obtained by visiting the FDNY in-person (there is no online access), which is a complex, time-consuming process that often yields incomplete data.

Mark Your Calendar!

JAN 15	First deadline to distribute Fire Safety Plan to residential tenants
OCT 8-13	Fire Prevention Week
Every 5 Yrs	Common FDNY Permits: Sprinkler/Standpipe Inspection
Every Year	Common FDNY Permits: A/C Refrigeration System Inspection
Every Year	Common FDNY Permits: Place of Assembly Renewal
Issue Date	Certificates of Fitness renewal

Agency Contacts

FDNY Headquarters
(718) 999-2457 (718) 999-2458

FDNY District Office 37: LPPA (Public Assembly)
(718) 999-2403 (718) 999-2404
(718) 999-2405 (718) 999-2436

FDNY District Office 93 & 94: Sprinkler & Standpipe Inspection
(718) 999-2512 (718) 999-2514
(718) 999-2478 (718) 999-2479

Records Access Officer/ FOIL requests
(718) 999-0293

Legal Enforcement Unit - Inquiries relating to Criminal Court/ ECB
(718) 999-1378

Court Desk and Litigation Support Unit
(718) 999-2146 or
(718) 999-1684

Violations Records
(718) 999-2442

Fire Records
(718) 999-2681