

NEW YORK CITY DEPARTMENT OF BUILDINGS

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Department of Buildings (DOB) is proposing to add fees for requests for waivers of penalties for failure to file façade inspection reports and parking structure compliance reports, and to amend fees relating to parking structures.

When and where is the hearing? DOB will hold a public hearing on the proposed rule online. The public hearing will take place at 11 a.m. on December 8, 2025.

- Join through Internet – Desktop app:

To join the hearing via your browser either click on the following URL link or copy and paste it into your browser's address bar. Then follow the prompts to either continue using the browser or download/open the Teams desktop app.

<https://events.gcc.teams.microsoft.com/event/5ced320c-0ead-434c-b59b-9bebc9850af2@32f56fc7-5f81-4e22-a95b-15da66513bef>

Enter your name when prompted and click the **“Join now”** button. If you don't have computer audio or prefer to phone in for audio, select **“Phone audio”** under **“Other join options”** then click the **“Join now”** button. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins. If you are using phone audio then follow the dial-in instructions when prompted.

If you have low bandwidth or inconsistent Internet connection, we suggest you use the Phone audio option for the hearing. This will reduce the possibility of dropped audio and stutters.

- Join through Internet - Smartphone app:

To join using the Microsoft Teams app on your smartphone, click on the following URL link from your phone to automatically open the Teams app. Note that the Microsoft Teams app must already be installed on your smartphone. It is available for free both in the Apple Store and Google Play.

<https://events.gcc.teams.microsoft.com/event/5ced320c-0ead-434c-b59b-9bebc9850af2@32f56fc7-5f81-4e22-a95b-15da66513bef>

When prompted select **“Join meeting”**. Type your name and then select **“Join meeting”** again. You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

PLEASE NOTE: The above links are used to register for the hearing. Once registered, you will receive a confirmation email that will include a link to join the hearing. If you should run into technical difficulties when using the above links to register or you do not receive the registration confirmation email with your link to join the hearing, please use one of the following alternative methods to join the hearing. You should receive the

confirmation email within a short time of registering. Please check your junk email folder too if you do not see the email in your inbox. Best practice is to register for the hearing prior to the actual hearing date.

Alternatively, open the Teams app and select “Join a meeting”. Signing in with an account is not required. Type your name, the following Meeting ID and Passcode, then select “Join meeting”.

Meeting ID: 279 844 335 602 7

Passcode: um3xB7Ne (Code is case sensitive)

- Join via phone only:

To join the meeting only by phone, use the following information to connect:

Phone: 646-893-7101

Phone Conference ID: 861 924 13#

You will first be placed in a waiting status in the virtual lobby, then be admitted when the hearing begins.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to the DOB through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to dobrules@buildings.nyc.gov.
- **Mail.** You can mail comments to the New York City Department of Buildings, Office of the General Counsel, 280 Broadway, 7th floor, New York, NY 10007.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up by emailing dobrules@buildings.nyc.gov by December 1, 2025 and including your name and affiliation. While you will be given the opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit comments? Yes, you must submit comments by December 8, 2025.

What if I need assistance to participate in the hearing? You must tell the Office of the General Counsel if you need a reasonable accommodation of a disability at the hearing. You can tell us by

email at dobrules@buildings.nyc.gov. Advance notice is requested to allow sufficient time to arrange the accommodation. You must tell us by November 24, 2025.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are hearing impaired, and audio only access for those who are visually impaired.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments and a summary of oral comments concerning the proposed rule will be available to the public at the Office of the General Counsel and may be requested by email at dobrules@buildings.nyc.gov.

What authorizes DOB to make this rule? Sections 643 and 1043(a) of the City Charter and Section 28-112.1 and Articles 302 and 323 of the New York City Administrative Code authorize DOB to make this proposed rule. This proposed rule was not included in DOB's regulatory agenda for this Fiscal Year because it was not contemplated when DOB published the agenda.

Where can I find DOB's rules? DOB's rules are in Title 1 of the Rules of the City of New York.

What rules govern the rulemaking process? DOB must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

Articles 302 and 323 of Title 28 of the New York City Administrative Code require inspection, maintenance, repair and reporting of the conditions of exterior walls (façades) and parking garages, respectively.

The proposed rule would amend section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York to both increase certain existing fees and add new fees related to façade inspection reports, parking structure compliance reports, and parking structures in general. These changes account for the administrative and personnel costs of processing reports, reviewing requests, and conducting inspections of structures. Specifically, the amendments would:

- Add fees for:
 - Submitting a request for a waiver of penalties, as set forth in 1 RCNY §103-04, for penalties incurred for violations of Article 302 of Title 28 of the Administrative Code and/or 1 RCNY §103-04;
 - Submitting a request for a waiver of penalties, as set forth in 1 RCNY §103-13, for penalties incurred for violations of Article 323 of Title 28 of the Administrative Code and/or 1 RCNY §103-13;
 - An inspection resulting from a failure to file the required parking structure compliance report;

- A request for parking structure verification, and
- A request for parking structure removal of partial public protection.
- Increase the fees for parking structure compliance reports

The proposed rule would also amend the waiver provisions of section 103-04 of chapter 100 of Title 1 of the Rules of the City of New York to specify that a fee must be paid to request a waiver of penalties assessed for a violation of Article 302 of Title 18 of the Administrative Code or the rules of the Department. The proposed rule would also require that any such waiver requests be made through the Department's website. The proposed rule would further amend section 103-04 of the Rules of the City of New York to specify that, when the full demolition of a building occurs within the relevant inspection cycle, a waiver may only be granted if such demolition was approved by the Department.

The proposed rule would amend section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York to establish a mechanism through which an owner of a building may verify whether a parking structure is subject to the periodic inspection requirements of section 103-13.

The proposed rule would amend section 103-13 of the Rules of the City of New York to specify that a fee must be paid to request a waiver of penalties assessed for a violation of Article 323 of Title 28 of the Administrative Code and require any such waiver request be made through the Department's website.

The proposed rule would further amend section 103-13 of the Rules of the City of New York to specify that, when the full demolition of a building occurs within the relevant inspection cycle, a waiver of penalties assessed for a violation of Article 323 of Title 28 of the Administrative Code may only be granted if such demolition was approved by the Department.

The proposed rule would also add a filing fee for a request to remove public protection from a section of a formerly unsafe building when work to correct the unsafe condition on that part of the building is complete.

Additionally, the proposed rule would amend section 103-13(c)(3)(iii)(L)(1) of the Rules of the City of New York to require that a plan detailing a proposed monitoring program must include the method and frequency of monitoring.

Lastly, the proposed rule would amend section 103-13(c)(4)(viii) of the Rules of the City of New York to require that, where a report has been deemed administratively incomplete, a revised report be filed within 5 days of the date on which the report was deemed administratively incomplete.

The Department of Buildings' authority for these rules is found in sections 643 and 1043 of the New York City Charter and section 28-112.1 and Articles 302 and 323 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. The façade inspection reports fees and parking structure compliance reports fees set forth in section 101-03 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

Façade inspection reports	
• Initial filing	\$425
• Amended/subsequent filing	\$425
• Application for extension of time to complete repairs	\$305
• <u>Request for waiver of penalties</u>	<u>\$140</u>

Parking structure compliance reports	
• Initial Filing	\$[305] <u>485</u>
• Amended[/subsequent] filing	\$[85] <u>940</u>
• <u>Subsequent filing</u>	<u>\$485</u>
• Application for extension of time to complete repairs	\$[65] <u>95</u>
• <u>Request for waiver of penalties</u>	<u>\$140</u>

§2. Section 101-03 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding the following entries at the end of the table set forth in that section:

<u>Inspection made necessary by a failure to file required parking structure compliance report</u>	<u>\$575</u>
<u>Parking Structure Verification Request</u>	<u>\$685</u>

Parking Structure Partial Protection Removal Request	\$695
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§3. The introductory paragraph and paragraph (2) of subdivision (e) of section 103-04 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

(e) Full or partial penalty waivers; eligibility and evidentiary requirements. Owners may request a full or partial waiver of penalties assessed for violation of Article 302 of Title 28 of the Administrative Code, the New York City Building Code and/or rules enforced by the Department. Requests must be made [in writing] through the Department's website, submitted with the filing fee, and must meet eligibility and evidentiary requirements as follows:

(2) *Building status.* An owner [requesting a waiver because the building was demolished must submit city or departmental records evidencing the demolition of the building prior to the filing deadline] may be granted a waiver if the full demolition of the building occurred prior to the inspection cycle for which the report was due, and such demolition was signed off by the Department.

§4. Subdivision (a) of Section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended by adding new definitions of “Partial Protection Removal Request” and “Verification Request” in alphabetical order, to read as follows:

(a) Definitions. For the purposes of this section, the following terms have the following meanings:

Partial Protection Removal Request. A request submitted by the QPSI to remove public protection from only a section of a building that is classified as “unsafe” and has a large footprint, when work to correct the unsafe conditions on that section is complete.

Verification Request. A request submitted by the QPSI or building owner in order to verify that a parking structure is subject to periodic inspection under this rule.

§5. Paragraph (1) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(1) Periodic inspection requirements. In order to maintain a parking structure and its appurtenances in a safe condition, and in accordance with Article 323 of Title 28 of the Administrative Code, a condition assessment of all components of a parking structure must be conducted at periodic intervals specified herein. In order to verify if a parking

structure is subject to periodic inspection under this rule, a QPSI or an owner can submit a Verification Request, along with a filing fee as specified in section 101-03 of the rules of the Department.

§6. Item 1 of clause (L) of subparagraph (iii) of paragraph (3) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

1. A plan detailing the proposed monitoring program, including method and frequency of monitoring;

§7. Subparagraph (viii) of paragraph (4) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

- (viii) If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department's rejection, or within 5 days of the date it was deemed administratively incomplete, after which the original file date will no longer be valid.

§8. Subparagraph (iv) of paragraph (5) of subdivision (c) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

- (iv) Within two weeks after repairs to correct the unsafe condition have been completed, the QPSI must inspect the premises. The QPSI must promptly file with the Department a detailed amended report stating the revised report status of the parking structure, along with a filing fee as specified in the rules of the Department and the owner must obtain permit sign-offs as appropriate. If the report is not acceptable and is rejected by the Department, a revised report must be filed within 45 days of the date of the Department's rejection after which the original filing date will no longer be valid. If the report is not acceptable after two rejections, a new amended filing fee as specified in the rules of the Department is required. Protective measures must remain in place until an amended report is accepted; however, the QPSI may request permission for the removal of the protective measures, shoring or any other public safety measures upon submission of a [signed and sealed statement] Partial Protection Removal Request, along with a filing fee as specified in section 101-03 of the rules of the Department, certifying that an inspection was conducted, the conditions were corrected, and the protective measures are no longer required.

§9. The introductory paragraph and paragraph (2) of subdivision (f) of section 103-13 of chapter 100 of Title 1 of the Rules of the City of New York are amended to read as follows:

- (f) ***Full or partial penalty waivers; eligibility and evidentiary requirements.*** Owners may request a full or partial waiver of penalties assessed for violation of Article 323 of Title 28 of the Administrative Code, and/or rules enforced by the Department. Requests must be made [in writing] through the Department's website, submitted with the filing fee, and must meet eligibility and evidentiary requirements as follows:

- (2) *Building status.* An owner [requesting a waiver because the parking structure was demolished must submit city or departmental records evidencing the demolition of the parking structure prior to the filing deadline] may be granted a waiver if the full demolition of the parking structure occurred prior to the inspection cycle for which the report was due, and such demolition was signed off by the Department.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to Parking Structure Compliance Reports and Façade Inspection Reports

REFERENCE NUMBER: 2025 RG 081

RULEMAKING AGENCY: Department of Buildings

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Senior Counsel

Date: October 29, 2025

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to Parking Structure Compliance Reports and Façade Inspection Reports

REFERENCE NUMBER: DOB-207

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro
Mayor's Office of Operations

October 29, 2025
Date