



**NEW YORK CITY
DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The New York City Department of Health and Mental Hygiene (the “Department”) is proposing to add a new Chapter 41 to Title 24 of the Rules of the City of New York (the “RCNY”) to establish rules for determining whether a building has passed or failed an inspection for rats pursuant to Local Law 8 of 2026.

When and where is the hearing? The Department will hold a public hearing on the proposed rule. The public hearing will take place from 10 a.m. to 11 a.m. on September 14, 2026. The hearing will be conducted by video conference accessible via internet or telephone.

- **Internet.** To participate in the public hearing, enter to register at this Zoom meeting: <https://health-nyc.zoomgov.com/j/1659561163?pwd=VeOYdE9L6mLxAjB9aiajLvQg6dLj9x.1>

If prompted to provide meeting ID and passcode, please enter the following:

Meeting ID: 165 956 1163, Passcode: 108051

- **Phone:** For access, dial: (646) 828-7666 or Toll-free (833) 568-8864; (833) 435-1820, then please enter the following Meeting ID: 165 956 1163.

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

- **Website.** You can submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail comments to the Department at:
New York City Department of Health and Mental Hygiene
42-09 28th Street, 14th Floor, CN 30
Long Island City, NY 11101-4132
Attn: Svetlana Burdeynik
- **Fax.** You can fax written comments to the Department at 347-396-6087.
- **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 before the hearing by calling the Department at 347-396-6078 or 347-396-6116. You can also sign up at the hearing when you join hearing on Zoom on September 14, 2026. 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 written comments? Yes, you must submit written comments by 5 p.m. on September 14, 2026.

What if I need assistance to participate in the hearing? You must tell the Department if you need a reasonable accommodation of a disability at the hearing, including if you need a sign language interpreter. You can tell us by e-mail or by mail at the address given above. You may

also tell us by telephone at 347-396-6078. Please give us advance notice to allow sufficient time to arrange the accommodation. Please tell us by 5 p.m. on August 31, 2026.

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>. Within a reasonable time after the hearing, a transcript of the hearing, copies of all written comments submitted online and copies of all written comments concerning the proposed rules will be available to the public. A copy of a transcript of the oral comments will be available to the public on request within a reasonable time after the hearing.

What authorizes the Department to make this amendment? Section 389(b) of the New York City Charter provides that “heads of mayoral agencies shall have the power to adopt rules to carry out the powers and duties delegated to the agency head or the agency by or pursuant to federal, state or local law.” Charter section 1043(a) authorizes each agency to “adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law.” Local Law 8 of 2026 requires DOHMH to promulgate rules for determining whether a building has passed or failed an inspection for rats.

Where can I find the NYC Health Department’s rules? The rules of the Department are in Title 24 of the RCNY.

What laws govern the rulemaking process? The Department must meet the requirements of section 1043 of the Charter when creating or changing rules. This notice is made according to the requirements of section 1043(b) of the Charter.

Statement of Basis and Purpose

Local Law 8 of 2026 (“Local Law 8”) amended the Administrative Code of the City of New York by adding a new section 17-133.4 related to building inspections and reporting following complaints related to rats and conditions that attract rats. Local Law 8 requires the Department of Health and Mental Hygiene (the “Department”) to make its best effort to inspect a building for signs of rat activity or conditions that attract rats within 14 days of receipt of a complaint or service request submitted to the Department through the 311 customer service center or other means.

The Department must record certain information during each inspection, including whether the building has passed or failed the inspection, as determined by the Department. The proposed rule would clarify how the Department determines whether a building passes or fails an inspection for rats, and specify the abatement measures the person in control of such building must take.

The proposed rule is as follows.

“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.

New material is underlined.

Section 1. Title 24 of the Rules of the City of New York is amended by adding a new chapter 41 to read as follows:

Chapter 41: Inspections for Rats

§ 41-01 Scope and applicability.

This Chapter applies to inspections of properties for rats and conditions conducive to rats pursuant to New York City Health Code Article 151 and New York City Administrative Code Section 17-133.4.

§ 41-02 Definitions.

When used in this Chapter, the following terms have the following meanings:

“Compliance inspection” means an inspection conducted on private property after a property fails its initial inspection and receives a Commissioner’s Order to Abate.

“Department” means the Department of Health and Mental Hygiene.

“Health Code” means the New York City Health Code.

“Person in control” means the owner, part owner, managing agent or occupant of premises or property, or any other person who has the use or custody of the same or any part thereof.

§ 41-03 Property inspections for rats and conditions conducive to rat activity.

(a) When the Department inspects properties for rats pursuant to its authority under Health Code Article 151, if the Department observes in interior or exterior areas any active signs of rats or conditions conducive to rats, such observation shall be prima facie evidence of a violation.

- (i) Active signs of rats may include but are not limited to: tracks, fresh droppings, burrows, active runs, fresh gnawing, and live rats seen.
- (ii) Conditions conducive to rats may include but are not limited to: the presence of dense weeds or other vegetation that are serving as sources of shelter or harborage for rats; accumulation of refuse that may feed and attract rats and other material in or on which rats may find shelter, hide or nest; the presence of cracks, gaps or holes in building exteriors or interiors that enable the free movement of rats; the presence of food or water accessible to, and capable of, sustaining a rat population; and unsanitary conditions that attract rats.

(b) If a violation is found, the person in control of a property subject to Health Code Section 151.02 must take such measures as may be necessary to prevent and control the harborage and free movement of rats, which may include, but are not limited to, inspecting for active signs of rats and conditions conducive to rats; cleaning up droppings and urine, sanitizing, and washing away rub marks; storing all garbage in hard plastic or metal containers with a tight-fitting lid; removing

clutter and debris from yards, basements, and landscaping; repairing holes and cracks and pest-proofing doors, windows, vents, and drains; and hiring a pest professional licensed by the New York State Department of Environmental Conservation to inspect and treat for rats. However, the taking of any or all of such measures shall not be deemed a sufficient defense to a violation if the Department has observed any active sign of rats at the time of a compliance inspection.

**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: Rules Relating to Rat Inspections

REFERENCE NUMBER: DOHMH-172

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

July 23, 2026
Date

**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: Rules Relating to Rat Inspections

REFERENCE NUMBER: 2026 RG 041

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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: July 23, 2026