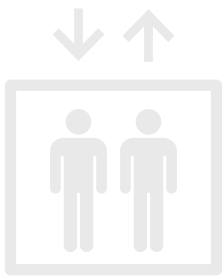


ELEVATORS & BOILERS

Elevator and boiler devices at your buildings are some of the most costly and difficult equipment to keep in compliance. It's important to know exactly what the law requires, so we've put together this handy reference to keep you in the know.

ELEVATORS



WHAT ARE THE DEPARTMENT OF BUILDINGS INSPECTION REQUIREMENTS FOR ELEVATORS?

✓ Category 1 Inspections

The DOB requires all elevator devices to undergo an annual inspection, called a Category 1 test. Owners and managers are responsible for hiring an approved elevator inspection agency to perform the test, as well as an unaffiliated third party approved agency to witness the inspection. Category 1 tests must be performed and submitted to the DOB by December 31st of each year.

✓ Category 5 Inspections

Depending on the type of device, some also require a Category 5 full load inspection test every 5 years. If a Category 5 report was last filed in March 2012, it would be due again at the end of March 2017. When the Category 1 and Category 5 tests line up for a device, owners may choose to perform both types of inspections at the same time and file the results on the same ELV3 form.

If defects are found during the inspection, these must be corrected and certified via an Affirmation of Correction (ELV29). Defects must be corrected within 120 days of the original inspection date, and filed within 60 days of the correction date.

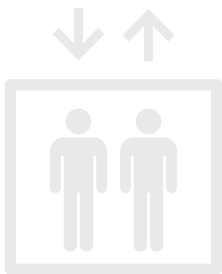
💰 Late Fees

- Category 1 annual inspection: \$150/month
- Affirmation of Correction: \$150/month
- Category 5 inspection: \$250

If documentation is still not filed within 12 months of the deadline, the full penalty (in the form of an administratively issued violation) will be applied in lieu of the above late fees.



ELEVATORS



WHAT ARE THE PENALTIES?

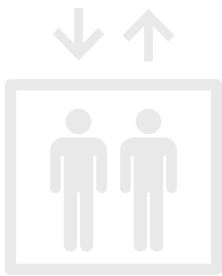
TYPE	DESCRIPTION	PENALTY PER DEVICE
LL 10/81	Issued for failure to file annual inspection 2008 Cycle and earlier	\$1030
VCAT1	Issued for failure to file annual inspection 2008 Cycle only	\$1030
EVCAT1	Issued for failure to file annual inspection 2008 Cycle and later	\$3000
ACC1	Issued for failure to file Affirmation of Correction Beginning with 2008 Cycle	\$3000
EVCAT5	Issued for failure to file Category 5 (5-year) load-bearing inspection First issued in 2016	\$5000

i The DOB issued thousands of ACC1 violations dated 5/30/14 in error. As a result, the \$3,000 fine was rescinded for all ACC1 violations with this issue date. Buildings must still show proof of an Affirmation of Correction and subsequent satisfactory Category 1 inspection to clear this infraction from their records.

i Administrative elevator violations issued before 2014 were issued once per building, and may apply to multiple elevator devices. A penalty sheet must be obtained from the DOB to determine the total number of noncompliant devices (and the subsequent fine) for those infractions.



ELEVATORS



ARE THERE ANY OTHER RISKS FOR MISSING OR LATE INSPECTIONS?

Missing elevator inspections will be flagged during the DOB's review for a Final Certificate of Occupancy. Any outstanding inspection-related civil penalties must be paid before a Final CO is issued. Missing inspections may also delay a property transaction or refinance. Most importantly, a property owner may be held liable in the case of emergencies involving a device lacking regular satisfactory inspections.

WHAT IS AN ELEVATOR PVT VIOLATION?

The DOB hires third party inspectors to perform periodic inspections of elevator devices. A PVT (or E-ELEVATOR violation) may be issued for failure to maintain the device.

If the violation is hazardous or if the violation was issued for "no access to the device or machine room," a certified elevator inspection company must submit a letter, by mail or in-person to the Elevator Division indicating that corrections were made and requesting a re-inspection of the device.

If the violation is non-hazardous, the certified company may itself perform the re-inspection and submit the following documentation to the Elevator Division at 280 Broadway, 4th Floor.

- Completed Affirmation of Correction (form ELV-29)
- Copy of the Violation
- Filing fee of \$40 per elevator device

As of 2014, the DOB has also begun removing PVT violations on a regular basis from any elevator devices that are in current compliance. If your device has a current status of "Satisfactory" or "Accepted - Correction," the DOB may clear any associated PVTs from that elevator as often as quarterly. Please note that this automatic removal process may take time, so if you need to clear PVTs quickly, submitting an Affirmation of Correction is often the fastest route.



BOILERS



WHAT ARE THE DEPARTMENT OF BUILDINGS INSPECTION REQUIREMENTS FOR BOILERS?

The DOB requires all boilers to have an annual inspection by December 31st of each year.

- The BO-9 inspection form must be filed within 45 days of performing inspection (one form per each inspection type for High Pressure Boilers).
- If defects are found during an inspection, they must be corrected and an Affirmation of Correction (BO-13) must be filed within 180 days from the calendar inspection date.
- Reports submitted more than 180 calendar days from the BO-9 inspection date will incur a late penalty of \$50/boiler/month.
- Reports submitted 12 months after the inspection date will be deemed expired and incur the full penalty.

High Pressure Boilers

- Two inspections are required: internal and external.
- These inspections must be conducted within the same cycle (year), but should be performed six months apart.
- Inspections can only be performed by an authorized insurance company.
- Inspectors must notify the DOB at least 10 days before performing the internal inspection via e-mail (hpboilers@buildings.nyc.gov).



BOILERS



Low Pressure Boilers:

- Inspections can only be performed by authorized boiler inspectors licensed by the Department of Buildings or an authorized insurance company

MUST INSPECT ANNUALLY

- Residential buildings with 6+ families
- Residential buildings classified as Single Room Occupancy (SRO) dwellings
- Mixed-used buildings
- Commercial buildings
- H-stamp domestic hot water heaters with over 350,000 BTUs in residential, mixed use, and commercial buildings

NO INSPECTION REQUIRED

- Low-pressure boilers in residential buildings with 5 families or less
- H-stamp domestic hot water heaters in residential buildings with 5 families or less
- Individual boilers heating individual residential units (including residential portions of mixed-used buildings)

First Test

Newly installed boilers and boilers that have undergone replacement of more than half of their principal components/sections must undergo a First Test conducted by the DOB before use.

For more information about boiler inspections, visit:

 http://www.nyc.gov/html/dob/html/development/boiler_permit_and_insp.shtml



BOILERS



WHAT ARE LBLVIO/HBLVIO & LL62/91 VIOLATIONS?

LBLVIO/HBLVIO

Failure to file annual boiler inspection (issued in 2010 and later); \$1,000 civil penalty per boiler.

LL 62/91

Failure to file annual boiler inspection (issued 2009 and earlier); \$500 civil penalty for properties 6 stories and under, \$1500 civil penalty for properties 7 stories and above.

HOW TO CLOSE OUT BOILER VIOLATIONS?

To close these violations, you must submit the following documentation to the Boiler Division at 280 Broadway, 4th Floor:

- Printout from DOB BIS system showing that current annual boiler inspection is in compliance.
- Printout from DOB BIS system of the violation.
- Certified check or money order payable to Department of Buildings, for the civil penalty due.

How do I remove a Boiler from the DOB Records?

The process requires a visit from an authorized master plumber to inspect and certify that a boiler does not exist at a specific address.

To remove or disconnect a boiler from a property record, submit Form OP 49 along with a \$45 processing fee to: Boiler Division, 4th Floor at 280 Broadway.

If a boiler is not decommissioned properly, there may be additional administratively issued violations at the property going forward for failure to file annual inspections.

