

## FREE GUIDE

# OPEN VIOLATIONS?

## WHAT TO DO BEFORE YOU SELL

A plain-language guide for NYC homeowners and small landlords who are selling or refinancing: how to look up your property, why violations hold up a closing, and how the common ones get cleared.

STATEN ISLAND · BROOKLYN · QUEENS · THE BRONX

### — WHY IT MATTERS

#### IT SHOWS UP IN TITLE

The City says DOB violation information is public and will appear in a property title search.

#### IT CAN STOP A SALE OR REFI

In DOB's words: open violations can prevent an owner from selling or refinancing.

#### IT CAN BECOME A LIEN

Unpaid OATH/ECB judgments are collected by Finance, and eligible DOB ECB judgments can be turned into property tax liens.

### — THE SHORT VERSION

- 1 Look up your property with every agency (page 2) before you list, not after you sign a contract.
- 2 Sort what you find: hazardous items and anything with a hearing date come first.
- 3 Fix the condition, then prove it: certify, file a Certificate of Correction, or ask for a reinspection.
- 4 Pay any penalties and answer every hearing date. Missing one turns it into a default with a higher penalty.
- 5 Save printouts that show each item as resolved, dismissed or certified, and share them with your attorney.

### — HAVE THESE HANDY

#### ADDRESS + BBL

Borough, block and lot. It's on your tax bill and in BIS.

#### OWNER NAMES

Yours and any past owners'. OATH lets you search by name.

#### ANY NOTICES

Summonses, HPD notices or FDNY orders you've received by mail.

### — INSIDE

1 · Look it up · 2 · Why it holds up a closing · 3 · Common violations and how they clear · 4 · Timeline + checklist · 5 · When to bring in help

† Not confirmed on an official city page. Common practice only; ask your title company or real estate attorney.

## STEP 1

# LOOK UP YOUR PROPERTY IN 15 MINUTES

Search by address. Write down your borough, block and lot (BBL) and building number (BIN) the first time you see them; other sites ask for them. Check every agency: each one keeps its own list.

| AGENCY                     | WHAT IT COVERS                                                                                                                | WHERE TO LOOK                                                                                                                                                                                                                                                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DOB Buildings</b>       | Construction, permits, boilers, elevators, façades, illegal work. Also DOB's own violations (some carry DOB civil penalties). | <b>BIS</b> → Property Profile → "Violations-DOB" and "Violations-OATH/ECB". A dismissed violation shows an asterisk (e.g. V*...).<br><a href="https://a810-bisweb.nyc.gov">a810-bisweb.nyc.gov</a><br><b>DOB NOW Public Portal</b> for newer filings and compliance items. Check both.<br><a href="https://nyc.gov/dobnow">nyc.gov/dobnow</a> |
| <b>OATH (formerly ECB)</b> | Summonses written by DOB, FDNY, DEP, Sanitation and other agencies, and the hearing results.                                  | <b>OATH Summons Finder:</b> search by name, address or summons number.<br><a href="https://a820-ecbticketfinder.nyc.gov">a820-ecbticketfinder.nyc.gov</a><br>Pay penalties on <b>CityPay</b> : <a href="https://a836-citypay.nyc.gov/citypay/ecb">a836-citypay.nyc.gov/citypay/ecb</a>                                                        |
| <b>DOF Finance</b>         | Unpaid OATH/ECB judgments sent for collection, and DOB ECB judgments converted to property tax liens.                         | <a href="https://nyc.gov/ecbpropertyliens">nyc.gov/ecbpropertyliens</a> · Payment plans are available through DOF Collections.                                                                                                                                                                                                                |
| <b>HPD Housing</b>         | Housing maintenance violations in residential rentals: Class A, B, C, plus "I" orders. Also your HPD registration.            | <b>HPDONLINE:</b> <a href="https://hpdonline.nyc.gov">hpdonline.nyc.gov</a>                                                                                                                                                                                                                                                                   |
| <b>FDNY Fire</b>           | FDNY summonses and Violation Orders (fire safety, alarms, sprinklers, permits).                                               | <b>FDNY Business:</b> basic search, no login needed.<br><a href="https://nyc.gov/site/fdny/business/violations">nyc.gov/site/fdny/business/violations</a>                                                                                                                                                                                     |
| <b>DEP Environmental</b>   | Water, sewer, noise and backflow-device summonses. These are heard at OATH, so they show in the Summons Finder.               | OATH Summons Finder (above). Backflow device rules: <a href="https://nyc.gov/site/dep/about/cross-connection-controls.page">nyc.gov/site/dep/about/cross-connection-controls.page</a>                                                                                                                                                         |

Short on time? Use my free NYC Property Check page to open all of these lookups for your address in one place: [Open my free Property Check →](#)

The Summons Finder does not include restaurant, for-hire vehicle or DCWP (consumer) summonses. Copies of DOB violations cost \$8.00 each (\$5.00 for each extra duplicate); you can also request records through NYC OpenRecords (FOIL).

## STEP 2

# WHY VIOLATIONS HOLD UP A CLOSING

## TITLE SEARCH

DOB violation information is public and appears in a title search. The buyer's attorney and title company will see what you see, so it's better to find it first.

## CERTIFICATES OF OCCUPANCY

DOB won't issue a new or amended Certificate of Occupancy or a Letter of Completion while DOB violations are active on the property.

## OPEN AFTER PAYMENT

An OATH/ECB violation stays open in BIS until DOB approves a Certificate of Correction, even if you already paid the penalty. Paying is not the same as clearing it.

## JUDGMENTS AND LIENS

If an OATH summons goes to default or isn't paid, it becomes a judgment that Finance collects. Under Local Law 153 of 2017, eligible DOB ECB judgments can be converted into property tax liens. Unpaid taxes, water and other charges can also become liens that are sold in the tax lien sale.

## HPD CHARGES

When the City makes emergency repairs through HPD's Emergency Repair Program, the cost is billed to the property. HPD can also seek civil penalties.

## LENDER AND BUYER

Lenders and buyers' attorneys commonly ask for open violations to be cleared, or money held in escrow, before closing. <sup>+</sup> They may also flag open or expired permits and missing sign-offs. <sup>+</sup>

**Good news: most items are cleared by fixing the condition and filing proof. Starting early is what keeps your closing date.**

## — HOW AGENCIES RANK VIOLATIONS

|                |                                                                                          |
|----------------|------------------------------------------------------------------------------------------|
| OATH/ECB (DOB) | Class 1 Immediately Hazardous · Class 2 Major · Class 3 Lesser                           |
| HPD            | Class A Non-hazardous · Class B Hazardous · Class C Immediately hazardous · "I" = orders |

## STEP 3

# COMMON VIOLATIONS AND HOW THEY GET CLEARED

## DOB SUMMONS AT OATH (ECB)

Class 1, 2 or 3.

Correct the condition. File a Certificate of Correction in DOB NOW: Safety (Violations & Notices of Deficiency → "+Certificate of Correction Review Request"; you need an NYC.ID account). Separately, admit or attend the OATH hearing and pay any penalty. Class 1 must be corrected immediately.

## HPD CLASS A, B, C

Leaks, mold, pests, lead paint, window guards, detectors, self-closing doors, heat and hot water.

Fix it within the deadline (page 5), then certify correction to HPD. Certifying is free, on paper or by eCertification (not for lead, mold or pests). Keep your HPD registration current; notices go to the registered owner or agent. False certification brings penalties.

## WORK WITHOUT A PERMIT · STOP WORK ORDER

Also Vacate orders and AEUHAZ summonses.

Usually means filing permits to legalize or remove the work. DOB civil penalties must be paid (or waived) before DOB approves the Certificate of Correction. Rescinding a Stop Work Order has its own steps; confirm with DOB. +

## HPD: MISSED THE DEADLINE

Not certified on time, or certified falsely.

File a Dismissal Request for a reinspection (fees below). HPD may write new violations during that visit. If the condition was already fixed, ask HPD about the free "Defect" documentation route or Violation Reissuance.

## ILLEGAL CONVERSION

For example an extra apartment in a basement or attic.

If DOB marks it immediately hazardous, extra penalties of \$1,000 a day can apply, so correct it and certify as soon as you can. Fixing it often means removing the unit or legalizing it with plans and permits.

## FDNY SUMMONS OR VIOLATION ORDER

**Summons:** correct it and file a Certificate of Correction online in FDNY Business by the compliance date (email isn't accepted). First-time offenders who file on time get a Cure Letter and skip the OATH hearing; repeat offenders must attend. **Violation Order:** correct it, then request reinspection in FDNY Business with the order attached.

## DOB VIOLATIONS (NOT OATH)

Boiler, elevator, façade, fire safety, parking structures; failing to file annual reports.

Correct the condition, send proof to the DOB unit that issued it, and pay any DOB civil penalties. DOB has separate instructions for each type. There's no OATH hearing for these, though serious conditions can lead to a Criminal Court summons.

## DEP SUMMONS · BACKFLOW DEVICE

Common on homes with pools or in-ground sprinklers.

Answer the summons at OATH by the hearing date; any cure or settlement offer comes from DEP, not OATH. Backflow devices need a PE/RA plan, a licensed master plumber to install, and a certified test every 12 months filed with DEP.

## — HPD DISMISSAL REQUEST FEES (CERTIFIED CHECK OR MONEY ORDER TO NYC DEPT. OF FINANCE)

|                                    |       |
|------------------------------------|-------|
| 1-2 units, or one co-op/condo unit | \$250 |
| 3+ units, 1-300 open violations    | \$300 |
| 3+ units, 301-500                  | \$400 |
| 3+ units, 501+                     | \$500 |

## STEP 4

# HOW LONG IT TAKES

There is no official start-to-finish timeline for clearing violations before a sale. † These are the clocks the agencies do publish:

## BEFORE YOU LIST

Run every lookup on page 2. Order your own title search early if your attorney recommends it. †

## DOB / OATH CLASS 1

Correct immediately. On construction sites larger than 4 families, a \$5,000 DOB civil penalty applies, with reinspections every 60 days.

## DOB / OATH CLASS 2 AND 3

40 days to correct and certify. Some are eligible for a zero-penalty "cure" if certified by the cure date (counts as an admission). Source: DOB's older AEU2 instructions; check your summons.

## OATH HEARING DATE

It's printed on the summons. Phone hearings must be requested 3 business days to 1 month ahead. You don't need a lawyer. Miss it and you default, with a higher penalty (up to \$25,000 for some DOB summonses).

## DOB REVIEW OF YOUR CERTIFICATE OF CORRECTION

Review time is not published. †

## HPD DISMISSAL REINSPECTION

HPD aims to inspect within 45 business days (requests filed Jun 1 – Sep 30) or 90 business days (Oct 1 – May 31).

## FDNY

Certificate of Correction due by the compliance date on the summons. FDNY Business help replies in about 5 business days.

## HPD CORRECTION DEADLINES

|                                                         |          |
|---------------------------------------------------------|----------|
| Class A                                                 | 90 days  |
| Class B                                                 | 30 days  |
| Class C · lead, window guards, mold, mice/roaches, rats | 21 days  |
| Class C · self-closing doors                            | 14 days  |
| Class C · other                                         | 24 hours |
| Class C · heat and hot water                            | No time  |

Counted from the date the notice is served, before civil penalties apply if HPD seeks them in Housing Court. For some violations you can ask for a postponement (see the back of your notice).

## BEFORE-YOU-LIST CHECKLIST

- ☐ Searched BIS and DOB NOW (DOB + OATH/ECB tabs)
- ☐ Searched the OATH Summons Finder by address and by every owner's name
- ☐ Checked DOF for unpaid judgments and ECB property liens
- ☐ Checked HPDONLINE and confirmed my HPD registration is current (if a rental)
- ☐ Checked FDNY Business
- ☐ Listed every open item with its agency, class and any hearing or due date
- ☐ Fixed hazardous items first and filed proof for each
- ☐ Saved printouts showing each item resolved, and sent them to my attorney

## STEP 5

## DO IT YOURSELF, OR BRING IN HELP?

## — USUALLY FINE TO DO YOURSELF

- ◆ Certifying a simple HPD Class A or B repair you've already made (eCertification)
- ◆ Paying a penalty you agree with on CityPay
- ◆ Requesting a phone hearing and attending it
- ◆ Downloading printouts for your attorney

## — CONSIDER AN EXPEDITER WHEN

- ◆ Work was done without a permit and has to be legalized or removed
- ◆ There's an illegal conversion, Stop Work Order or Vacate order
- ◆ You need a new or amended Certificate of Occupancy or a Letter of Completion
- ◆ Several agencies are involved, or old defaults and judgments keep turning up
- ◆ You already have a contract or a closing date
- ◆ You live out of state or can't get to the property

Some fixes also need a licensed architect, engineer or plumber. For disputes over penalties or title, talk to a real estate attorney.

## — OFFICIAL SOURCES (CHECKED OCT 25, 2026)

1. **DOB · Resolve a Summons or Violation**  
<https://www.nyc.gov/site/buildings/dob/resolve-a-summons-or-violation.page>
2. **DOB · DOB Violations**  
<https://www.nyc.gov/site/buildings/safety/dob-violations.page>
3. **DOB · Certificate of Correction**  
<https://www.nyc.gov/site/buildings/property-or-business-owner/certificate-of-correction.page>
4. **DOB · Certificate of Correction user guide (DOB NOW: Safety)**  
[https://www.nyc.gov/assets/buildings/pdf/cofc\\_user\\_guide.pdf](https://www.nyc.gov/assets/buildings/pdf/cofc_user_guide.pdf)
5. **DOB · AEU2 instructions (older form, used here only for the 40-day and cure rules)**  
<https://www.nyc.gov/assets/buildings/pdf/AEU2%20Instructions.pdf>
6. **DOB · Find Building Data (BIS + DOB NOW)**  
<https://www.nyc.gov/site/buildings/dob/find-building-data.page>
7. **DOB · Filing Representatives**  
<https://www.nyc.gov/site/buildings/industry/filing-representatives.page>
8. **OATH · Hearings and Defaults**  
<https://www.nyc.gov/site/oath/hearings/hearings-and-defaults.page>
9. **OATH · Case Status / Summons Finder**  
<https://www.nyc.gov/site/oath/help-center/case-status.page>
10. **DOF · Collections (OATH/ECB judgments, ECB property liens)**  
<https://www.nyc.gov/site/finance/pay-now/collections.page>
11. **HPD · Clear Violations**  
<https://www.nyc.gov/site/hpd/services-and-information/clear-violations.page>
12. **HPD · Penalties and Fees**  
<https://www.nyc.gov/site/hpd/services-and-information/penalties-and-fees.page>
13. **HPD · Dismissal Request form**  
<https://www.nyc.gov/assets/hpd/downloads/pdfs/services/dismissal-request-form-clear-violations.pdf>
14. **HPDONLINE**  
<https://hpdonline.nyc.gov/>
15. **FDNY · Violations**  
<https://www.nyc.gov/site/fdny/business/violations/violations.page>
16. **DEP · Backflow Prevention Devices**  
<https://www.nyc.gov/site/dep/about/cross-connection-controls.page>

General information only, not legal advice. Rules, fees and deadlines change; confirm with the agency, your title company or a real estate attorney before you act. Fees listed are the City's published fees, not mine. † = not confirmed on an official city page.



## SELLING, BUYING OR REFINANCING IN NYC?

I'll help you plan around what you find, starting on Staten Island and across Brooklyn, Queens and the Bronx.

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## SEPARATE SERVICE: PERMIT EXPEDITING

I'm also registered with the NYC Department of Buildings as a Filing Representative. Permit and violation expediting is a separate service, not offered through Matias Real Estate, with its own written agreement and fees. You don't need to use it to list or buy with me, and you're free to hire any expeditor, architect, engineer or attorney you choose.