

## WINDOW GUARDS ARE REQUIRED! IT'S THE LAW!

New York City Health Department code requires landlords of multiple dwelling (three apartments or more) to provide, install and maintain approved window guards in apartment and public hallways windows where children under 11 years old reside. Landlords are also required to install window guards when requested by the tenant even if no child under 11 years old resides in the household.

Windows should not open more than 4 ½ inches above the window guard; window stoppers must be placed on window frames to prevent the window from opening more than the specified (4 ½ inches) height.

Exceptions are made if:

- The window provides access to the fire escape.
- The window is a secondary egress in a first floor apartment where there are fire escapes on upper floors.
- A window has a **permanently mounted** and properly installed air conditioner.

In addition to conforming to New York City health code window guard requirements, NYCHA Section 8 window guard inspection standards now require window guards in all buildings including non-regulated 1-5 family units.

Window guard violations found in any apartment or building hallway will constitute a serious violation. Landlords will be notified of the violation by the standard (*NE-1*) notice and instructed to complete the repairs **within 15 days** from the inspection date or the Section 8 subsidy will be suspended.

Upon notification from the landlord that repairs are completed an inspection will be scheduled by the Inspection Unit to verify the repair. Tenant certifications will not be accepted for window guard violations.

Once installed, window guards should not be removed by tenants. If this situation occurs and the subsidy is suspended and subsequently the landlord completes the repair and also proves that it was tenant caused, the landlord's subsidy may be reinstated from the day of suspension on the basis of tenant caused damages. If a tenant fails to comply with this law, their subsidy may be terminated. In addition, landlords should also contact the Department of Health to inform them of this serious violation.

For further information or assistance, you may write to the Window Falls Prevention Program, New York City Department of Health, 253 Broadway, 6<sup>th</sup> Floor, CN-59A, New York, New York 10007 or call (212) 676-2158 or access the web site at [nyc.gov/health](http://nyc.gov/health).