

Landlords and Tenants: It's getting a bit chilly! Are you waking up wondering if it's "Heat Season" yet? In New York City from October 1st through May 31st building owners are required to provide tenants with Heat under the following conditions:

- Between the hours of 6:00 AM and 10:00 PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit; and,
- Between the hours of 10:00 PM and 6:00 AM, if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

If a Tenant believes that the Landlord is wrongfully refusing to provide heat, they must first attempt to contact the Landlord. If unsuccessful, the Tenant may call 311 and lodge a complaint. HPD will then attempt to contact the Landlord who must then correct the condition. If the condition is not corrected, HPD may hire contractors to resolve the heat problem. A Lien for the cost of repair will then be placed on the Landlord's building. The Landlord may also be fined between \$250.00 to \$1,000.00 per day until the condition is corrected.

Before the fines are assessed a Hearing will be held where the Landlord can challenge the merits of the Tenant's Complaint as well as Tenant's Failure to Notify. The fines can also be challenged or later negotiated.

Hot water must ALWAYS be maintained at a minimum of 120 degrees Fahrenheit.

Of course, there are some written residential leases which specifically provide that the tenant is responsible for heat. The heating unit must be isolated to the tenant's apartment and cannot heat other units or common areas of the building.