

FACT SHEET



Andrew M. Cuomo, Governor

A PUBLICATION OF NEW YORK STATE
DIVISION OF HOUSING AND COMMUNITY RENEWAL
OFFICE OF RENT ADMINISTRATION

#15 Heat and Hot Water

Heat and Hot Water for Buildings in New York City

By law, building owners must provide all tenants with the following levels of heat and hot water:

Heat (During the heating season, October 1 through May 31)

- * Between 6 a.m. and 10 p.m., heat must register at least 68 degrees Fahrenheit when the outside temperature falls below 55 degrees;
- * Between 10 p.m. and 6 a.m., heat must register at least 62 degrees Fahrenheit.

Hot Water (24 hours a day, 365 days a year)

- * Hot water must register at or above a constant temperature of 120 degrees at the tap.
- * If a tub or shower is equipped with an anti-scald valve that prevents the hot water temperature from exceeding 120 degrees, the minimum hot water temperature for that tub or shower is 110 degrees.

The New York State Division of Housing and Community Renewal (DHCR) is authorized to reduce the rent of any rent regulated apartment in New York City when required heat and hot water services are not maintained. Tenants may file a *"Failure To Provide Heat And/Or Hot Water- Tenant Application For Rent Reduction"* (DHCR Form HHW-1). The complaint for an individual apartment may also be submitted online at nyshcr.org. If more than one tenant wishes to file a complaint, the tenants must attach a schedule to the HHW-1 form or file an *"Application For A Rent Reduction Based Upon Building -Wide Services"* (DHCR Form RA-84). Applications based upon lack of adequate heat or hot water must be accompanied by a report from the appropriate city agency finding such lack of adequate heat or hot water. If the owner is found by DHCR to have failed to provide adequate heat or hot water, a rent reduction shall be ordered for rent stabilized apartments and may be ordered for rent controlled apartments and the owner will be prohibited from collecting any additional rent increases until the service is restored. In New York City, where owners may obtain separate fuel cost adjustments for rent controlled apartments, no fuel surcharge may be collected until one year after DHCR issues an order finding that services are restored.

Rent controlled and rent stabilized tenants in New York City with heat and/or hot water complaints should call the **NYC Citizen Service Center at 311**.

A New York City Code Enforcement inspector will investigate your complaint and either issue a building violation or order emergency repairs to restore the services if they find the owner is not providing them.

If a tenant receives a rent reduction from DHCR and also receives another abatement or a rent credit because of the same conditions, the tenant cannot get both benefits at the same time.

Heat and Hot Water for Buildings Located in Nassau, Rockland and Westchester Counties

For most of the housing subject to ETPA, an owner must provide heat and hot water as a required service. If an owner is not obligated to provide heat and/or hot water, or the heat and/or hot water is paid for by the tenant, tenants should make sure that their guidelines increase is appropriate. The local Guidelines Board may have issued a separate guideline for those properties.

Heat

Owners of rental housing in ETPA municipalities must supply heat from October 1 through May 31 to tenants in multiple dwellings.

While the heat and hot water requirements vary in these municipalities, they all require owners to supply heat from October 1 through May 31 to tenants in multiple dwellings if outdoor temperatures fall below 55 degrees Fahrenheit.

Nassau County

In Nassau County, each apartment must be heated between 6:00 AM and 10:00 PM to a temperature of at least 68 degrees Fahrenheit, and between 10:00 PM and 6:00 AM to a temperature of at least 65 degrees Fahrenheit.

Rockland County

In Rockland County, each apartment must have an inside temperature of 68 degrees Fahrenheit at all times.

Westchester County

In Westchester County, each apartment must have an inside temperature of 68 degrees Fahrenheit at all times.

Hot Water

The hot water temperature requirement for Nassau and Rockland County is 120 degrees Fahrenheit.

In Westchester County, the individual municipalities determine the temperature requirement.

To report a complaint for lack of heat or hot water, contact the local municipal building department or the County Health Department. If conditions persist over a sustained period of time, a decreased service complaint may be filed with the local DHCR Rent Office on "*Failure To Provide Heat And/Or Hot Water - Tenant Application For A Rent Reduction*" (DHCR Form HHW-1) for an individual apartment, or an "*Application For A Rent Reduction Based Upon Building-Wide Services*" (DHCR form RA-84) for a building wide complaint. Applications based upon lack of adequate heat or hot water must be accompanied by a report from the appropriate county or municipal agency finding such lack of adequate heat or hot water.

If the owner is found by DHCR to have failed to provide adequate heat or hot water, a rent reduction may be ordered for rent stabilized and rent controlled apartments.

If a tenant receives a rent reduction from DHCR and also receives another abatement or a rent credit because of the same conditions, the tenant cannot get both benefits at the same time.

For more information or assistance concerning heat and hot water in New York City or in any of the ETPA counties, call the DHCR Rent Infoline, or visit your Borough or County Rent Office.

Queens

92-31 Union Hall Street
6th Floor
Jamaica, NY 11433
(718) 739-6400

Lower Manhattan

25 Beaver Street
5th Floor
New York, NY 10004

Brooklyn

55 Hanson Place
7th Floor
Brooklyn, NY 11217

Bronx

1 Fordham Plaza
4th Floor
Bronx, NY 10458

Upper Manhattan

163 W. 125th Street
5th Floor
New York, NY 10027

Westchester

75 South Broadway
3rd Floor
White Plains, NY 10601
(914) 948-4434