

Local Law 55 of 2018 – “Asthma-Free Housing Act

Addressing Indoor Asthma Allergen Hazards in Residential Dwellings & Pest Management

On January 19th, 2018, the New York City Council passed the “**Asthma-Free Housing Act**” ([*Intro. 385C - Local Law 55/2018*](#)) a bill that aims to combat rising asthma rates and improve the quality of life for more than one million New Yorkers who have been diagnosed with asthma.

The bill requires landlords to prevent and remove indoor health hazards that can trigger asthma such as mold and pests, as well as mandating the use of safe and effective methods to ensure long-term success.

Increased enforcement of the new regulations will ensure tenants are able to lead safe and healthy lives.

The existence of an indoor allergen hazard in any dwelling unit in a multiple dwelling, is declared to constitute a condition dangerous to health.

Owners responsibility to remediate:

- must take reasonable measures to keep the premises free from pests and other indoor allergen hazards and from any condition conducive to indoor allergen hazards;
- shall take reasonable measures to prevent the reasonably foreseeable occurrence of such a condition and shall expeditiously take reasonable measures to remediate such conditions and any underlying defect, when such underlying defect exists

Owners responsibility to notify occupants and investigate:

- Owner of a multiple dwelling shall initiate an investigation for indoor allergen hazards in all occupied dwelling units and in the common areas
- Investigations shall be performed at least once a year, or as frequently as necessary, e.g. when exercising reasonable care to identify possible foreseeable indoor allergens, or when an occupant makes a complaint concerning a condition that is likely to cause an indoor allergen hazard, or when an occupant requests an inspection or department issues a notice of violation or violation order.
- All tenant leases must contain a notice, advising tenants of ownership’s obligations (as detailed above); this notice should be approved by the DOB and be available in multiple languages (as detailed in section 8-1002 of the Local Law).

Violations for Visible Mold

- The presence of visible mold in any room in a dwelling unit in a multiple dwelling, shall constitute an indoor mold hazard violation (in an amount measuring in total less than 10 square feet in a room)
- Visible Mold in measured in total between 10 square feet and 30 square feet shall constitute a hazardous violation.

For More Information see related to inspections, reporting requirements and filling certificates of correction see the following:

[LL 55 of 2018](#)