



AUDIT AT A GLANCE

Department of Buildings' Enforcement of Building Codes

What questions did the audit look at?

- Does the New York City Department of Buildings (DOB) enforce building codes for one- and two-family houses in an equitable manner?

Why does it matter for New Yorkers?

DOB regulates the safe and lawful use of more than a million buildings and over 40,000 active construction sites under its jurisdiction by reviewing and approving plans, issuing permits and licenses, conducting inspections, and enforcing relevant laws and codes.

The audit found that most of DOB's enforcement actions stem from anonymous 311 complaints. As a result of this approach, lower income communities were disproportionately impacted by DOB's code enforcement; seven of the 10 districts with the highest dollar amount of assessed penalties had median household incomes below the Citywide median. Areas with the highest fines (accumulated penalties of \$20,000 or more) were concentrated in low-income and predominantly Black and Hispanic community districts, raising concerns of unequal impact. Penalties for illegal conversions and default ("no show") judgments accounted for a significant portion of these violations. Although DOB has several initiatives intended to provide support to burdened homeowners (such as the Homeowner Relief Program), the efficacy of these programs is unclear.

The audit also found that the average number of days that DOB took to review plan documents greatly increased from 2022 to 2024. This is significant because penalties continued to accrue in that time.

What changes did the agency commit to make following the audit?

- DOB partially agreed to improve its education and engagement in impacted communities, establish performance metrics for the Homeowner Relief Program (HRP), and conduct surveys of property owners who participate in DOB programs.

AUDIT FINDINGS



DOB's enforcement actions are almost entirely driven by anonymous 311 complaints.



Seven of the 10 districts with the highest total fines were located in low income communities



Plan review times rose by 80% Citywide from 2022 to 2024, as the number of applications filed Citywide also increased by 106%.



DOB's Homeowner Relief Program lacks comprehensive performance assessment.



Audit Recommendations		Agency Response
1	Re-evaluate the 100% reliance on complaints as the driver of code enforcement and consider other additional approaches.	DISAGREED
2	Consider options to track the source of complaints and other remedies that could be taken to ensure the 311-complaint system is not abused to target certain communities.	DISAGREED
3	Implement process changes to ensure that “Failure to Comply” summonses are not issued while plans to correct the underlying violation(s) are still pending review by DOB, and not within 60 days of DOB approving a plan needed to correct the underlying violation(s).	DISAGREED
4	Establish education and engagement strategies in the communities most affected by illegal conversions to emphasize the financial impact of code violations, fines, and penalties.	PARTIALLY AGREED¹
5	Work with OATH to educate the public concerning the financial consequences of defaulting on summonses issued to address DOB violations.	AGREED
6	For transparency, restore the practice of reporting and updating the service levels including plan approval times to the tracker on the agency's website.	PARTIALLY AGREED²
7	Identify the reasons for the variances in review time among the boroughs and make reasonable efforts to reduce those variances, minimize plan review times, and establish time targets for the agency's review of plan submissions.	DISAGREED
8	Set Key Performance Indicators for the HRP initiative to assess the effectiveness of the program.	AGREED
9	Formally survey persons who participate in initiatives designed to assist property owners to identify their satisfaction with the initiatives and potentially identify areas for improvement.	AGREED

¹ DOB did not identify the portion of the recommendation that it did not agree with.

² DOB did not identify the portion of the recommendation that it did not agree with.