

New York City Housing Court

New York City Civil Court - Housing Part

Contempt and Penalties

[In General](#)

[Civil Penalties](#)

[Liens](#)

[Contempt Proceedings](#)

In General

A landlord who fails to carry out a court order to make repairs and/or restore services, may be subject to civil penalties and fines, liens, and civil or criminal contempt.



Civil Penalties

If the respondent/landlord fails to correct the conditions or violations as required by an order to correct, the petitioner/tenant or the New York City Department of Housing Preservation and Development (HPD) can restore the case to the calendar by [order to show cause](#) for a [compliance hearing](#) and assessment of civil penalties. The court form used to restore the HP case to the calendar may be obtained by going to the clerk's office in your county. Click on [Locations](#) to find where to go in your county. For more information, click on [Orders to Show Cause](#).

Penalties imposed for violations of the Housing Maintenance Code are payable only to HPD.

Upon respondent/landlord's failure to correct conditions and/or violations, the court can assess the following penalties per day:

- \$10.00 - \$50.00 for each "A" (nonhazardous) violation;
- \$25.00 - \$110.00 for each "B" (hazardous) violation;
- \$50.00 for each "C" (immediately hazardous) violation in a multiple dwelling containing five or fewer dwellings.
- \$50.00-150.00, plus \$125.00 for each "C" (immediately hazardous) violation occurring in a multiple dwelling containing more than five dwelling units.

Failure to provide heat and hot water when legally required can also result in the imposition of a penalty of \$250.00 per day. To learn more about when a landlord must supply heat click on [Cold Weather Heat Requirements](#). Hot water must be supplied at all times at a constant minimum of 120 degrees between the hours of 6 a.m. and midnight. A penalty of a minimum of \$1,000.00, plus \$25.00 per day for each day the violation continues, will be imposed for failure to keep the system which provides heat and hot water free of devices which impede its ability to meet its minimum requirements.



Liens

Any judgment in favor of HPD against a respondent/landlord becomes a [lien](#) against the property once the judgment is entered and a [transcript of judgment](#) is filed in the county clerk's office. HPD may seize the rents if the judgment remains unpaid. If the total amount of the lien equals or exceeds \$5,000.00, HPD may secure an order

appointing the HPD Commissioner as a receiver of the premises for purposes of taking rent, until the judgment is satisfied.



Contempt Proceedings

If the respondent/landlord fails to comply with the court order to cure the conditions and/or violations, the petitioner/tenant or HPD can also seek to punish the respondent with civil contempt and/or criminal contempt of court. In a contempt proceeding, the court may punish the landlord with fines and/or imprisonment.

The affidavit used to bring an order to show cause to punish the landlord for contempt and for civil penalties in an HP case may be obtained by going to the clerk's office in your county. Click on [Locations](#) to find the clerk's office in your county. Click on [Orders to Show Cause](#) to learn more.