



# Building Standards and Codes

New York State  
**Department of State**  
**Division of Building Standards  
and Codes**  
One Commerce Plaza  
99 Washington Avenue, Suite 1160  
Albany, NY 12231-0001  
(518) 474-4073  
Fax: (518) 486-4487  
[www.dos.ny.gov](http://www.dos.ny.gov)

## COMPLAINT AGAINST A CODE ENFORCEMENT OFFICIAL OR BUILDING SAFETY INSPECTOR AND/OR AGAINST A MUNICIPALITY RESPONSIBLE FOR ENFORCING THE UNIFORM CODE AND/OR ENERGY CODE

**PURPOSE OF THIS FORM:** This form may be used for either or both of the following purposes:

- (1) to file a complaint alleging that a Code Enforcement Official ("CEO") or a Building Safety Inspector ("BSI") has materially failed to uphold his or her duties as a CEO or BSI, or
- (2) to file a complaint alleging that a city, town, village, or county that is responsible for administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the "Uniform Code") and/or the State Energy Conservation Construction code (the "Energy Code") is failing to do so in compliance with the minimum standards established by the Department of State Regulations.

The Department of State will review this form and make a preliminary determination whether this Complaint is applicable to (1) the CEO or BSI name in this Complaint, (2) the city, town, village, or county named in this Complaint, or (3) both the CEO or BSI name in this complaint and the city, town, village, or county named in this Complaint.

**INSTRUCTIONS:** Please Complete Part 1, Part 2, Part 3, and Part 4: read Part 5; and date and sign this form in the place provided in Part 5. Please submit the completed, dated, and signed Complaint (and any additional supporting documentation you may wish to include as part of this Complaint) by email or mail to:

New York State Department of State  
Division of Building Standards and Codes  
99 Washington Ave.  
Albany, NY 12231-0001  
Email: [Oversight.Codes@dos.ny.gov](mailto:Oversight.Codes@dos.ny.gov)

### **PART 1** *(please type or print)*

#### **Person filing this Complaint:**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Address related to complaint: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**PART 2 (please type or print)** Person filing complaint – Last name: \_\_\_\_\_

*If this complaint alleges that a CEO or BSI has materially failed to uphold his or her duties as a CEO or BSI, please complete Section A of this Part.*

*If this Complaint alleges that a City, Town, Village, or County has failed to administer and enforce the Uniform Code and/or the Energy Code in compliance with the minimum standards established by the Department of State Regulations, please complete Section B of this Part.*

*If this Complaint alleges that a CEO or BSI has materially failed to uphold his or her duties as a CEO or BSI and that a City, Town, Village, or County has failed to administer and enforce the Uniform Code and/or the Energy Code in compliance with the minimum standards established by the Department of State Regulations, please complete Section A and Section B below.*

**SECTION A**

**Name of the CEO or BSI who is the subject of this Complaint:**

\_\_\_\_\_

**City, Town, Village, or County for which the CEO or BSI performs enforcement activities:**

\_\_\_\_\_

**SECTION B**

**Name of the City, Town, Village, or County that is the subject of this Complaint:**

\_\_\_\_\_

**PART 3**

	YES	NO
An attempt to resolve the matter using local means has been made	<input type="checkbox"/>	<input type="checkbox"/>
This complaint has been or may be the subject of a law suit	<input type="checkbox"/>	<input type="checkbox"/>
This matter involves one or more provisions of local zoning	<input type="checkbox"/>	<input type="checkbox"/>
This matter involves a dispute with a landlord	<input type="checkbox"/>	<input type="checkbox"/>
This matter involves a dispute with a neighbor	<input type="checkbox"/>	<input type="checkbox"/>

**PART 4** *(please type or print)* Person filing complaint – Last name: \_\_\_\_\_

**DESCRIPTION OF COMPLAINT** (Describe [1] the manner in which you believe the CEO or BSI named in this Complaint has materially failed to uphold his or her code enforcement duties and/or [2] the manner in which you believe the Municipality named in this Complaint has failed to administer and enforce the Uniform Code and/or Energy Code in accordance with the applicable minimum standards – attached additional sheets if necessary):

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Check this box if additional documentation is attached.

**PART 5** (please type or print) Person filing complaint – Last name: \_\_\_\_\_

**Agreement to Cooperate.** The person filing this Complaint agrees to cooperate with any investigation conducted by the Department of State (and, in the case of a Complaint against a CEO or BSI, with any investigation conducted by any City, Town, Village, or County named in Section A of Part 2 of this Complaint).

**Providing copies of complaint.** The person filing this Complaint acknowledges (1) that in the case of a Complaint against a CEO or BSI, the Department of State is permitted, but not required, to submit a copy of this Complaint (and any supporting information and documentation provided to the Department of State by the person filing this Complaint to each City, Town, Village, County, State agency or other governmental unit or agency for which the inspections(s) performed pursuant to section 807-a of the Education Law, the Department of State is permitted, but not required, to submit a copy of this Complaint (and any supporting information and documentation provided to the Department of State by the person filing this Complaint) to the school authorities in charge of the subject school and to the New York State Department of Education; and (3) that in the case of a Complaint against a City, Town, Village, or County, the Department of State is permitted, but not required, to submit a copy of this Complaint (and any supporting information and documentation provided to the Department of State by the person filing this Complaint to such City, Town, Village, or County. To the extent required by the Personal Privacy Protection Law (Article 6-A of the Public Officers Law), the Department of State shall redact the complainant's name, address, and contact information, and any other "personal information" (as that term is defined in Public Officers Law section 92(7), from copies submitted to an authority having jurisdiction or to any other person or entity pursuant to this paragraph.

**PERSONAL PRIVACY PROTECTION NOTIFICATION.** The New York State Department of State (the Department) and the Department's Division of Building Standards and Code (the Division) are requesting the information to be provided in this Complaint form and may be contacting you to obtain additional information. The information in this complaint form, and in response to any follow up request, will be maintained in the Division's records. The Director of the Division of Building Standards and Codes, 99 Washington Avenue, Albany, NY 12231 (telephone [518] 474-4073) is responsible for those records. The principal purposes for which the information is to be collected are to obtain information about an allegation that a CEO or BSI has materially failed to uphold his or her duties as a CEO or BSI and/or that a municipality has failed to administer and enforce the Uniform Code and Energy Code in accordance with the minimum applicable standards; to enable the Department or the Division to contact you if additional information about your complaint is required; to request your cooperation in any investigation that may be conducted by the Department and the Division and/or by a City, Town, Village, County, or State agency named in Section A of Part 2 of this Complaint; to request your attendance at any hearing that may be conducted by the Department; and otherwise to assist the Department in meeting its legal obligations. Collection and maintenance of the information is authorized by Executive Law, Sections 376-a and 381(3) and 19 NYCRR Subpart 1208-6. Failure to provide the requested information may result in the Department and the Division not being able to investigate your complaint effectively. The information will be used in accordance with Section 96 of the Personal Privacy Protection Law. The information may be provided to those officers and employees of, and to those who contract with, the Department if such disclosure is necessary to the performance of their official duties pursuant to a purpose of the Department required to be accomplished by statute or executive order or necessary to operate a program specifically authorized by law. The information may be disclosed in connection with any use of such information relevant to the purpose for which it was collected, and which use is necessary to the statutory duties of the Department, or necessary for the Department to operate a program specifically authorized by law. The information may be disclosed as specifically authorized by statute or federal rule or regulation.

Dated: \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Person filing this Complaint

Check this box if this form was completed by a DBSC Staff, and enter name: \_\_\_\_\_