



Building Standards and Codes

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

Local Code Enforcement Program Complaint Form

PURPOSE OF THIS FORM: This form should be used 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's regulations.

Please do not use this form if you wish to file a complaint alleging that a Code Enforcement Official ("CEO") or a Building Safety Inspector ("BSI") has materially failed to uphold their code enforcement duties as a CEO or BSI. Please see the webpage entitled "Complaints" at <https://www.dos.ny.gov/code/complaints> for further information about filing such a complaint against a CEO or BSI, and please use the "Complaint Against a Code Enforcement Official or Building Safety Inspector Form" posted at <https://www.dos.ny.gov/code/complaints> to file such a complaint.

INSTRUCTIONS: Please submit the completed, dated, and signed form (and any additional supporting documentation you may wish to include as part of this Complaint) to:

Email: oversight.codes@dos.ny.gov

or by mail: New York State Department of State
Division of Building Standards and Codes, Oversight Unit
99 Washington Ave.
Albany, NY 12231-0001

PART 1:

Person filing this complaint:

NAME: _____ TELEPHONE: () - _____

STREET ADDRESS: _____ FAX: () - _____

CITY: _____ ZIP CODE: _____ COUNTY: _____

PART 2:

CODE ENFORCEMENT JURISDICTIONAL INFORMATION:

CODE ENFORCEMENT JURISDICTION: CITY TOWN VILLAGE COUNTY OF: _____

CODE ENFORCEMENT OFFICIAL NAME: _____ TELEPHONE: () - _____

STREET ADDRESS: _____ FAX: () - _____

CITY: _____ ZIP CODE: _____ COUNTY: _____

NAME AND TITLE OF CHIEF ELECTED OFFICIAL: _____

PART 3:

PRE-QUALIFICATION INFORMATION:

YES or NO

- | | | |
|--|--------------------------|--------------------------|
| 1. A COMPLETED FORM HAS BEEN GIVEN TO THE LOCAL CODE OFFICIAL OR CHIEF ELECTED OFFICIAL..... | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. AN ATTEMPT TO RESOLVE THE MATTER USING LOCAL MEANS HAS BEEN MADE | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. THIS COMPLAINT HAS BEEN OR MAY BE THE SUBJECT OF A LAW SUIT..... | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. THIS MATTER INVOLVES ONE OR MORE PROVISIONS OF LOCAL ZONING | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. THIS MATTER INVOLVES A DISPUTE WITH A LANDLORD | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. THIS MATTER INVOLVES A DISPUTE WITH A NEIGHBOR | <input type="checkbox"/> | <input type="checkbox"/> |
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PART 4:

DESCRIPTION: (attached additional sheets if necessary)

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Complaint's Signature: _____ *Date:* _____

Local Code Enforcement Program Complaint Form Guidelines

The Division of Building Standards and Codes' local code enforcement complaint program is intended to identify possible improper use of the Uniform Code by local authorities and to assist the public in seeking a resolution to problems that they may be having as a result.

The process requires that we communicate accurate and thorough information to local authorities and give them ample opportunity to respond to each situation. It is important that the information you provide is directly related to administration and enforcement of the Uniform Code. If you are not sure that your complaint is a matter relating directly to administration and enforcement of the Uniform Code then you should call the Regional Services Central Office in Albany at (518) 474-4073 for clarification.

The complaint form requires that you check a "YES" or "NO" box in response to six pre-qualifying statements. Please read the following instructions because the failure to provide responses to all the statements will delay the process and may disqualify your complaint.

Statement 1: **Your complaint will not be processed unless a copy is forwarded to the local government.** If you wish to remain anonymous do not include your name or address on the form. Anonymous complaints do not need to be sent to the local government. Anonymous complaints will only be processed if they involve a hazardous, dangerous or potentially life threatening situation.

Statement 2: The division cannot process your complaint if you have not made a bona-fide attempt to resolve the matter directly with the enforcing authority. If possible, supply documentation to support such efforts.

Statement 3: Your complaint will not be processed if a lawsuit against the local government has been filed or is pending in court. Most communities will not substantively respond if they are subject to a lawsuit.

Statement 4: The division does not have the authority to address local land use or zoning issues such as realty subdivisions, non-hazardous junk, fencing other than swimming pool enclosures, encroachment or illegal land use.

Statement 5: A dispute with a landlord will only be processed if it is clear that the matter involves a provision of the Uniform Code and the local code official has failed to act on your behalf. The division does not regulate landlords or lease agreements.

Statement 6: Neighbor disputes can only be processed if it is clear that the matter involves a provision of the Uniform Code and the local code official has failed to act on your behalf. The division does not have the authority to resolve disputes involving illegal encroachment, drainage diversion, noise or the accumulation of non-hazardous materials or waste on premises.

You should be aware that complaints involving selective enforcement, harassment, bad behavior or suspected illegal activity cannot be addressed. Building officials are employees of local government and are subject to the terms and conditions of their employment.

Please call (518) 474-4073 or email oversight.codes@dos.ny.gov if you have any questions or need to discuss the details of your complaint.