

New York Heating Regulations: Updated Guidelines for Landlords



With the Winter months right around the corner, we wanted to take a few moments to remind landlords and building owners of their heating obligations to tenants both in New York and throughout the Tri-State area.

The New York State Energy Conservation Construction Code sets baseline requirements for heating systems in buildings. This code is regularly updated to reflect advances in energy efficiency technology. You'll find specific provisions for insulation, HVAC equipment efficiency, and controls.

The state also enforces appliance and equipment efficiency standards.

The short version of the above is that you have a legal requirement to ensure that your boilers and hot water systems are in working order before the coldest months arrive. Failure to do this could land you in hot water with the legal system (no pun intended) but also facing significant financial penalties.

Tenant Rights and Landlord Obligations

Tenants have the right to adequate heat from October 1 to May 31. Indoor temperatures must be at least 68°F between 6 AM and 10 PM when outside temperatures fall below 55°F.

From 10 PM to 6 AM, indoor temperatures must be at least 62°F, regardless of outdoor conditions. Hot water should be maintained at a minimum of 120°F year-round.

Landlords must provide these heating requirements by law.

Disclaimer: Chart meant for reference only. Check directly with jurisdiction to confirm.

JURISDICTION	HEATING REGULATION	HOT WATER REGULATION	FINES
NEW YORK CITY	October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 68°F 10:00 PM-6:00 AM Inside temperature must be at least 62°F regardless of the outside temperature	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">Initial Violations: Landlords can be fined between \$250 and \$500 per day for each initial heat or hot water violation.Subsequent Violations: For repeated violations during the same or next heating season, fines can increase to between \$500 and \$1,000 per day.Additional Penalties: There is also a minimum penalty of \$1,000, plus \$25 per day for each day the violation continues (What renters need to know about getting landlords to turn the heat back on) .
NASSAU & SUFFOLK COUNTY	October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 68°F 10:00 PM-6:00 AM Inside temperature must be at least 65°F regardless of the outside temperature	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">Specific amounts vary but can be substantial for repeated violationsTenants can legally withhold rent.County can impose repair order <p>Nassau https://www.nassaucountyny.gov/3059/Heating-Regulations</p> <p>Suffolk</p>
WESTCHESTER COUNTY	SEPT. 15-MAY 31 6:00 AM-10:00 PM Indoor temperature must be at least 68°F regardless of outside temperature 10:00 PM-6:00 AM Indoor temperature must be at least 60°F	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">First Offense: A fine of \$1,000Second Offense: A fine of \$1,500.Subsequent Offenses: A fine of \$2,000 for each additional violation (Westchester Cooperative Housing Disclosure).
PUTNAM COUNTY	October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 68°F 10:00 PM-6:00 AM Inside temperature must be at least 60°F regardless of the outside temperature	Year-Round Constant minimum temperature of 120°F	<p>Specific amounts vary but can be substantial for. repeated violations</p> <p>Tenants can legally withhold rent.</p> <p>County can impose repair order (https://www.putnamcountyny.gov/)</p>
DUTCHESS COUNTY	October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 68°F 10:00 PM-6:00 AM Inside temperature must be at least 60°F regardless of the outside temperature October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 65°F 10:00 PM-6:00 AM Inside temperature must be at least 60°F regardless of the outside temperature	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">Civil penalties range between \$500 and \$1,000 for each violation.Tenants can take legal action including withholding rent until the issue is resolved.County can impose repair order (https://www.dutchessny.gov/Departments/Planning/docs/Landlord-New-Rent-Laws.pdf)
CONNECTICUT	October 1-May 31 6:00 AM-10:00 PM If outside temperature falls below 55°F, inside temperature must be at least 65°F 10:00 PM-6:00 AM Inside temperature must be at least 60°F regardless of the outside temperature	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">Notice to Landlord: Tenants can give notice to the landlord specifying the breach and may elect to procure reasonable amounts of essential services during the period of non-compliance and deduct the actual and reasonable cost from the rent.Substitute Housing: If the landlord fails to supply the service within two business days, tenants may choose to procure reasonable substitute housing during the period of non-compliance.Legal Action: If the landlord willfully fails to provide an essential service, tenants may terminate the rental agreement and recover an amount not more than two months’ rent or double the actual damages sustained (https://portal.ct.gov/dcp/common-elements/consumer-facts-and-contacts/heat----provided-to-tenants) .
NEW JERSEY	October 1- May 31 Day or Night: If outside temperature falls below 55°F, inside temperature must be at least 68°F	Year-Round Constant minimum temperature of 120°F	<ul style="list-style-type: none">Landlords can be fined for not providing adequate heat. The specific amount can vary, but fines can be substantial, especially for repeated violations.Tenants can take legal action against landlords who do not comply with heating regulations. This can include withholding rent until the issue is resolved.Repair Orders: The local housing authority can issue orders requiring landlords to make necessary repairs to ensure compliance with heating laws (https://rentalawareness.com/landlord-heat-requirements-nj/.)