



Understanding NYC Local Law 126 and the 2025 Deadline: What it means for building owners - by Joe DiPompeo

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New York City's Local Law 126, enacted to enhance the safety and structural integrity of parking structures, places stringent requirements on property owners. With the upcoming 2025 deadline for Sub-Cycle B, building owners must ensure compliance or face significant fines and potential safety risks. Here are the key aspects of Local Law 126, the deadlines, and the financial implications of non-compliance.

Overview of Local Law 126

Local Law 126 mandates periodic structural inspections of parking structures by a New York State licensed and registered Professional Engineer (PE) who is also a Qualified Parking Structure Inspector (QPSI). These inspections must be conducted every six years, with condition assessment reports submitted to the New York City Department of Buildings (DOB). In addition to this, there is an annual inspection requirement for all garages. The goal is to proactively identify and address structural deficiencies before they become hazardous.

The law applies to various types of parking structures including:

- Buildings or portions of buildings used for parking or storing motor vehicles
- Open parking garages and enclosed parking garages, as defined by the NYC Building Code

Exemptions include:

- Auto body and automotive repair shops
- Automotive showrooms and service stations
- Garages with fewer than three cars
- Unenclosed and unattached lots
- Garages serving one- and two-family homes

Key Deadlines and Compliance Requirements

The compliance process is divided into three sub-cycles based on the building's location:

1. Sub-cycle A: Manhattan Community Districts 1-7 (Deadline: December 31, 2023)
2. Sub-cycle B: Manhattan Community Districts 8-12 and all Brooklyn districts (Deadline: December 31, 2025)

3. Sub-cycle C: All Bronx, Queens, and Staten Island districts (Deadline: December 31, 2027)

Building owners within the current sub-cycle must adhere to the following compliance steps:

Step 1: Identify if the Parking Structure Requires an Inspection

Property owners must verify if their building qualifies under Local Law 126 by reviewing NYC DOB's Parking Structure Inspections Map. If listed, owners are responsible for compliance, even if they believe their building should be exempt. Disputes must be submitted to the DOB for review.

Step 2: Hire a Qualified Parking Structure Inspector (QPSI)

The owner must engage a QPSI to conduct a detailed structural assessment. The inspector must meet DOB eligibility requirements and be registered on the active QPSI list.

Step 3: Conduct the Inspection and Submit the Condition Assessment Report

The QPSI must complete the assessment and file a detailed Condition Assessment Report (CAR) with the DOB within 60 days. The report will categorize the structure's condition as one of the following:

- **Safe:** No immediate action required; next inspection due in six years.
- **Safe with Repairs and/or Maintenance (SREM):** Repairs needed but structure is not hazardous. A timeline for corrective actions is included.
- **Unsafe:** Immediate hazards exist; repairs must be completed within 90 days, and an amended report must be filed within two weeks of completion.

Step 4: Address Any Identified Repairs

For structures classified as Unsafe or SREM, owners must take corrective actions promptly. If unsafe conditions exist, temporary measures such as restricted access or structural reinforcements may be required until full repairs are completed.

Step 5: File the Amended Report

Upon completing necessary repairs, the owner must file an amended report within two weeks, confirming compliance with safety standards.

Financial Penalties for Non-Compliance

Failure to meet the Local Law 126 requirements can result in substantial monetary fines:

- Late filing penalty: \$1,000 per month for each overdue report
- Failure to file penalty: \$5,000 per year for non-submission
- Unsafe conditions penalty: Up to \$1,000 per month until violations are corrected
- Failure to Correct SREM Conditions: \$2,000 one-time penalty
- Failure to make repairs: Additional fines imposed at the DOB's discretion, potentially escalating to daily penalties for prolonged inaction

In addition to fines, non-compliance may lead to legal action, increased liability risks, and higher insurance premiums due to safety concerns.

The Importance of Compliance for Building Owners

Building owners must act proactively to ensure compliance with Local Law 126. Aside from avoiding fines, timely inspections and repairs help prevent structural failures, reduce liability exposure, and maintain property value.

It is strongly advised that building owners schedule their inspections well in advance of their sub-cycle deadline. Given the high demand for QPSIs, delaying inspections may result in scheduling conflicts and increased costs. Owners should also allocate budgetary resources for potential repairs to avoid last-minute financial strain.

Annual reports were also due at the end of 2024 and again at the end of 2025 and with the December 31, 2025, deadline approaching for Manhattan Community Districts 8-12 and all Brooklyn districts, building owners must take immediate action to comply with Local Law 126. Hiring a qualified inspector, conducting a timely assessment, and addressing repairs are crucial steps to avoid penalties and enhance structural safety.

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