

# ANDERSON KILL CO-OP, CONDO & REAL ESTATE ADVISOR



## New Law for Providing Stove Knob Covers

*By Deborah B. Koplovitz and Cathleen K. Hung*



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**E**ffective as of December 6, 2018, multiple dwelling owners must provide an annual notice to its tenants asking if there is a child under the age of six living in the apartment, and comply with

any requests from tenants for stove knob covers for their gas-powered stoves. This new law was enacted in response to a fatal fire in December 2017 that was started by a child playing with burners on the kitchen stove.

Based on the language of Local Law 117, cooperative and condominium owners renting out their unit must certainly comply, while owner-occupied co-op and condo units are specifically exempt from this requirement. However, as the legislative intent of this new law appears to have been intended to apply to boards, and because the intent is to prevent reoccurrence of another tragic fire, it is best practice for all co-op and condo boards to also comply with Local Law 117 and avoid any potential liability.

The annual notice must ask whether there is a child under the age of six living in the apartment, state the owner's obligation to provide

stove knob covers, and inform the tenant of his or her option to request or refuse stove knob covers. If a written request for stove knob covers is returned, the board and/or landlord must provide a stove knob cover for each knob of the gas-powered stove within 30 days of the date the annual notice was sent out, regardless of whether there is a child under six years of age in the apartment. If a tenant returns a written refusal for stove knob covers, no further action is required. But if a tenant does not return a written response at all, the board/landlord/unit owner is still responsible for providing stove knob covers for that apartment.

Local Law 117 also has a record-keeping requirement. Records of the following are required to be kept:

1. Written refusal of stove knob covers.
2. Attempts to provide stove knob covers.
3. Apartments that were provided with stove knob covers.
4. Requests for stove knob covers.

A failure to comply with the stove knob cover rule is a Class B hazardous violation and the violation can be issued against the building. However, there are two exceptions to the stove knob cover rule. First is if the owner

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provides documented proof that there are no available stove knob covers that are compatible with the knobs on the stove. Second is if two requests for replacement stove knob covers within the previous year have already been fulfilled.

Should you have any further questions about complying with Local Law 117, Anderson Kill is here to help. ▲

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