

COVID-19 and Asthma Free Housing Act FAQ

Due to COVID-19, you may be spending more time at home than usual. As such, taking steps to ensure that your home is healthy and free of health hazards is important. If you have asthma, staying indoors may mean that you are spending more time around things in your home that could be making your asthma worse, like mold or pests. Local Law 55, also known as the Asthma Free Housing Act, protects you and your family from indoor asthma triggers such as pests or mold. **This law continues to protect you and your family even during the COVID-19 crisis.**

Q: What is Local Law 55?

A: Local Law 55 is a law in New York City that requires that landlords of buildings with three or more apartments—or buildings of any size where a tenant has asthma—take steps to keep their tenants' homes free of pests and mold. This includes safely fixing the conditions that cause these problems.

Q: Can I still make complaints to 311 and receive an inspection to address mold or pests in my home despite the social distancing recommendations in place?

A: Yes, you can still report housing code violations to 311. However, to help keep tenants and inspectors safe while still protecting tenants from unsafe building conditions, inspections are temporarily restricted to inspecting for the most serious conditions:

<https://www1.nyc.gov/site/hpd/services-and-information/covid-19-updates.page>

As always, it's important to write down and take pictures of any mold or pests you see at home because this will make it easier to hold the inspector and landlord accountable even if they can't inspect your home straight away.

You can also use the JustFix NYC app and website (<https://www.justfix.nyc/>) which is still operating during the COVID-19 crisis and can help you both record problems you see and notify your landlord of repair issues.

Q: If I have asthma, do I have a greater chance of getting COVID-19?

A: According to the CDC, because COVID-19 can affect your respiratory tract (nose, throat, lungs), people with moderate to severe asthma may be at higher risk of getting sick from COVID-19. However, regardless of whether or not you have been diagnosed with asthma, it's very important that everyone practice social distancing and avoid nonessential travel.

Q: I want to disinfect my home, but cleaning and disinfectant products trigger my asthma. What can I do?

A: If possible, have someone who doesn't have asthma do the cleaning and disinfecting. The CDC recommends when they use cleaning and disinfecting products to have them:

- Make sure that people with asthma are not in the room.

- Minimize use of disinfectants that can cause an asthma attack.
- Open windows or doors and use a fan that blows air outdoors.
- Spray or pour spray products onto a cleaning cloth or paper towel instead of spraying the product directly onto the cleaning surface (if the product label allows).

If this is not possible, consider using green cleaning supplies that are safer to breathe for those with asthma.

***Tip:** *An easy alternative to purchased cleaning products is cleaners that you make yourself from ordinary household ingredients such as lemon, vinegar and baking soda.*

Cleaning solution recipe: Mix 2 cups vinegar, 2 cups very hot water, 1/2 cup salt and 2 cups borax. Apply the solution to the area you want to clean and allow it to sit for 30 minutes. Apply the solution again, scrubbing with a soft bristled brush, and rinse well with plain water.

Q: What should I do to prepare for an inspection and still follow social distancing recommendations?

A: If you see mold/pests in your home then it is important to record this information by taking photos and writing it down because this will make it easier to hold the inspector and landlord accountable, even if they can't inspect your home right away.

You can also use the JustFix NYC app and website (<https://www.justfix.nyc/>) which is still operating during the COVID-19 crisis and can help you to notify your landlord of repair issues, or navigate the process for starting a case in Housing Court.

If your apartment is inspected, it is important to maintain social distancing if possible by remaining 6 feet or more away from the inspector. You can also disinfect all surfaces after the inspector leaves your home.

Q: Can my landlord evict me for reporting the conditions in my apartment?

A: It is illegal for your landlord to threaten to evict you, kick you out, or ask you to leave your apartment for reporting the conditions.

Q: Can I stop paying rent if I feel that my landlord is not keeping my home in a healthy condition?

A: No, you still have to pay rent even under these circumstances. But, New York has barred evictions during the pandemic, meaning you can't be evicted even if you don't pay rent. (This doesn't mean you never have to pay; it just means you can't be kicked out for not paying right now.)

You could be eligible for a rent reduction if your landlord has not kept your home in a safe condition. [Page 18 of this guide addresses](#) how you might seek such a reduction in housing court.

Additionally, some New Yorkers are organizing to withhold or cancel rent. [Here is information on those campaigns.](#)

Q: How do I communicate with my landlord or what do I ask him/her to do?

A: The JustFix NYC app and website (<https://www.justfix.nyc/>) has templates to help you communicate with your landlord. But you can use any method of communication you are comfortable with. You can explain the issue to them, especially noting if your asthma is flaring up as you spend more time at home, and ask them to perform work to fix the issue. Essential construction work is still allowed under the restrictions currently in place.

* Please note that the answers in this FAQ sheet do not constitute legal or medical advice. We advise you to consult New York Lawyers for the Public Interest, or your local Legal Aid lawyers if you are seeking legal advice, and your doctor if you are seeking medical advice. For more information on COVID-19, go to <https://www.cdc.gov/coronavirus>.