

2008 amendments to § 2-01(a)

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NEW YORK CITY LOFT BOARD

NOTICE OF ADOPTION OF FINAL RULES

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY LOFT BOARD by Article 7-C of the Multiple Dwelling Law and Mayor's Executive Order No. 66, dated September 30, 1982, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Loft Board intends to amend section 2-01(a) of Title 29 of the Rules of the City of New York, relating to code compliance legalization deadlines and the expiration of the Loft Law. The text added to the rules is underlined, and deleted text is bracketed.

A duly noticed public hearing was held on April 17, 2008, affording the public opportunity to comment on the proposed amendments, as required by section 1043 of the New York City Charter. Written Comments were accepted through April 17, 2008.

Subparagraphs (iii), (iv), and (v) of paragraph 8 of subdivision (a) of section 2-01 of Title 29 of the Rules of the City of New York are amended to read as follows:

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units by May 1, [2007] 2008, or within 12 months after obtaining an approved alteration permit, whichever is later; and

(iv) Take all reasonable and necessary action to obtain a certificate of occupancy as a class A multiple dwelling for all covered residential units by May 31, [2007] 2008, or within 1 month after achieving compliance with the fire and safety standards of Article 7-B of the M.D.L., whichever is later.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this subdivision, an owner may, pursuant to M.D.L. §287, elect to comply with other local building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B by May 1, [2007] 2008 or within 12 months after obtaining an approved alteration permit, whichever is later.

Statement of Basis and Purpose:

The Legislature recently amended Article 7-C of the Multiple Dwelling Law (the “Loft Law”) to extend the code compliance deadlines that IMD owners are required to meet in legalizing their buildings and to extend the deadline for the Loft Law itself. See Laws of 2007, chapter 62. The compliance extensions are set forth in section 284 of the Multiple Dwelling Law. As a result, it is necessary to amend the Loft Board rules to conform to these legislative changes.

Dated: April 17, 2008

Marc Rauch
Chairperson