



Loft Board

280 Broadway, 5th Floor
New York, New York 10007
nyc.gov/loftboard

TEL: (212) 393-2616
FAX: (646) 500-6169

Access Application

INSTRUCTIONS

- Use this form to apply for access to an IMD unit to perform legalization work after a tenant has denied access

Below are instructions for completing, serving and filing an Access Application. After you **complete** the application you must **serve** a copy on each affected party. Then **file** the original and four copies of the application, the application fee and proof of service with the Loft Board. The failure to complete the application, serve it on each affected party and file it with the Loft Board may result in a delay in processing or rejection of the application. The checklist on the bottom of this sheet will help you make sure you have completed all the required steps. For more information on completing, serving and filing an application, visit our website at www.nyc.gov/loftboard or call the Loft Board at (212) 393-2616.

Completing the Application:

1. **Clearly print the applicant's contact information.** The applicant must include a mailing address, phone number and email address.
2. **Indicate the type of relationship the applicant has to the building or unit.** You must indicate on page 1 of the application if you are an owner, owner's representative, net lessee or prime lessee.
3. **List the names of the affected parties, their mailing addresses, and their relationships to the building.** Affected parties for this type of application include the occupants of the units the applicant claims did not provide access and any other party whose rights may be affected by the claims alleged in the application.
4. **State the basis for the claim raised in the application.** The application should state all relevant facts. The applicant should list when and how the access notices were delivered to the occupants, when the occupants did not provide access and the work in the alteration application that was to be performed.
5. **Sign the application.** The applicant(s) or the applicant's attorney must sign the application form.
6. **Make a check or money order payable to the NYC Loft Board for the application filing fee.** An application fee of \$50 must be paid when the application is filed with the Loft Board. Any application that does not include the application fee will be returned without being processed unless an applicant requests a waiver of the application fee based on financial hardship.

Serving the Application:

7. The owner must serve a copy of this application on the occupants of the units the owner claims did not provide access. The owner may serve the application by personal service or certified or registered mail, return receipt requested, with an additional copy sent by regular mail.
8. In the application package you file with the Loft Board, include a completed **Certification to the Loft Board of Service of Access Application**.

9. You **must** include the following in the envelope to each affected party:
- A copy of the application.
 - A blank answer form

Filing the Application:

10. You must file the application with the Loft Board within five (5) days after service. See 29 RCNY §2-01(g)(4)(i).
11. You may file the application with the Loft Board by either: (1) regular mail **or** (2) hand delivery. The application is considered filed on the day it is received if received between 9am and 4pm on Mondays through Fridays, except for holidays.
12. Include all of the following when filing the application with the Loft Board:
- One (1) original application with the applicant's signature;
 - Four additional (4) copies of the application;
 - One copy of a blank answer form including instructions on how to file an answer;
 - A check or money order in the amount of the application fee; and
 - Proof of service made upon each affected party.



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<p>FOR OFFICE USE ONLY</p> <p>DOCKET #: _____</p>
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Location Information:

House No(s) _____ Street Name _____

Borough _____ IMD No _____

Applicant Information:

<p>Name _____</p> <p>Mailing Address _____</p> <p>_____</p> <p>_____</p> <p>_____ Unit _____</p> <p>Daytime Phone () _____</p> <p>Business Phone () _____</p> <p>Fax Number () _____</p> <p>Email _____</p>	<p>Applicant is:</p> <p><input type="checkbox"/> Owner</p> <p><input type="checkbox"/> Owner's Representative</p> <p><input type="checkbox"/> Net Lessee</p> <p><input type="checkbox"/> Prime Lessee</p> <p><input type="checkbox"/> Other (<i>specify</i>) _____</p> <p>_____</p> <p>_____</p> <p>_____</p>
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Occupant(s) of Units Owner Claims Denied Access:

Name of Occupant: _____ Unit: _____

Name of Occupant: _____ Unit: _____

Notice to Occupants

The occupant must file with the Loft Board, five (5) copies of a written answer in response to the application within fifteen (15) calendar days after service of the application. If the occupant fails to answer, the Loft Board may issue an order granting access. If the Loft Board issues an order directing access and the occupant fails to comply with that order, the failure to comply may be **grounds for eviction** in a proceeding brought before a court of competent jurisdiction. See 29 RCNY §2-01(g)(4)(i).

Basis for Application:

Use the space provided below to state all relevant facts and arguments. Extra sheets of paper may be attached as necessary.

I certify that all statements made are true and correct except for those statements which I have stated to be based on information and belief, and as to those statements, I believe them to be true and correct.

Name (print)

Signature

Relationship to Applicant (if same, write 'Same')

Date

False statements may subject you to the penalties provided by law, including fines and/or imprisonment.



Certification to the Loft Board of Service of Access Application

Instructions

Fill out the certification completely. Fill in all blanks and check the box indicating the method of service. Failure to complete this form correctly will result in administrative dismissal of the application.

Complete this certification after service of the access application on occupants is completed.

I, _____, certify under penalty of law, including
(Owner)

finest or imprisonment or both, that I have served this access application on:

_____ at
(Name of person(s) or firm served)

_____, by
(Address where service was completed with Apt. No.)

personal delivery

certified or registered mail, return receipt requested, with an additional copy sent by regular mail

(Check one option)

on _____ which is within (5) five days prior to this filing with the New York City Loft Board.
(Date of service)

Name of Signatory (Print)

Signature

Date

CHECKLIST:

Completing, Serving and Filing a Loft Board Application

- Am I using or did I download the correct application form from the Loft Board's website?
- Did I list my name, mailing address, contact phone number and email address as the **applicant**?
- Did I list **all** of the affected parties on page 4 of the application or on an attached sheet?
- Did I state a basis for my claim in the application?
- Did I sign the application form?
- Did I include a check or money order made payable to the NYC Loft Board for the application fee?
- Did I include the following documents with the application that I mailed to each affected party?
 - The complete application
 - A blank answer form
- Did I mail a copy of the application package to each affected party listed on the application?
- Did I obtain a certificate of mailing from the US Post Office, showing proof that I mailed a copy of the application to each affected party?
- Did I file the application with the Loft Board?
- Did I include the following in my filing to the Loft Board?
 - One original application form with the applicant's signature and four (4) copies of the complete application form
 - One (1) blank answer form including instructions for filing an answer
 - One copy of the Administrative Determination being appealed
 - A check or money order in the amount of the application fee
 - A United States Postal Service stamped copy of the certificate of mailing for each affected party.