

NYC Business Guide to and

CERTIFICATE of OCCUPANCY

ACCEPTED ALTERNATIVES



WHY YOU NEED ONE

- **To open and operate.** You need one to get NYC and NY State operating permits and licenses.
- **To avoid fines or closure.** Your business can be fined or closed if operating without one.
- **To finance and insure your business.** You need one to get private-sector services like insurance.
- **To stay safe.** You can be confident the space is legal to occupy and complies with NYC codes.

Do not assume your business may use a space just because a similar business was there before. That use may be illegal and you may be shut down.

Confirm a building's Certificate of Occupancy or its alternative meets your needs before you lease space. Ask a professional at bit.ly/NYlicensedpro.

Plan to change a building's Certificate of Occupancy or Temporary Certificate if you want to change a building's use or space.

WHAT IT IS

Certificate of Occupancy (CO)

- Defines the approved use and space layout for a building. Most business owners prefer a Certificate of Occupancy to an alternative because it assures their business is allowed in a space long-term. It is issued by NYC Buildings.

Temporary Certificate of Occupancy (TCO)

- Defines for a limited time the approved use and space layout for part of a building undergoing accepted changes when another part stays the same. It must be renewed, or replaced with a final Certificate once the changes are complete. Buildings with many tenants may have multiple Temporary Certificates, as different tenants may make changes in different parts at once.

Letter of No Objection (LNO)

- Defines the approved use and space layout for a building that was never issued a Certificate of Occupancy, or clarifies a use in a particular case for a building with a Certificate of Occupancy. It is written by NYC Buildings.

HOW TO MAINTAIN IT

Certificate of Occupancy

- **Change** an existing one. A building's Certificate needs updating if there have been unaccounted changes to use, entrances, or exits in the past, or if you plan changes to these in the future. Ask a licensed professional to file an application for a change. Find one at bit.ly/NYlicensedpro.
- **Obtain** one for the first time. If you are obtaining a Certificate of Occupancy to replace a Letter of No Objection, ask a licensed professional to file an application. Find one at bit.ly/NYlicensedpro.

Temporary Certificate of Occupancy

- **Renew** a Temporary Certificate of Occupancy. This must be renewed every 30, 60, or 90 days. Renewal costs \$100, requires showing progress on changes, and is subject to NYC Buildings. When not renewed, the building's approved use and layout goes back to what was on the last Certificate of Occupancy. A lapse may lead to fines or problems for your business. To renew, use the PW-7 form at on.nyc.gov/PW-7.
- **Replace** a Temporary Certificate with a Certificate of Occupancy. You or the building owner must pay all outstanding violations and close all open work projects listed for your property by NYC Buildings (find using on.nyc.gov/BISweb). This is true even for "open violations" or "open job applications" left by a previous tenant or owner. Closing open applications can require additional construction or inspections. In some cases, NYC Buildings will waive the requirement to close open jobs. To petition for a waiver, explain your situation using a PER-20 form at on.nyc.gov/openCofOissues.

Letter of No Objection

- **Obtain** a Letter of No Objection. If the building has not undergone major changes in space or use since 1938, you may be eligible for a Letter of No Objection. Request one from NYC Buildings at on.nyc.gov/DOBoffices.

WHERE TO FIND ONE

Certificate of Occupancy and Temporary Certificate of Occupancy

- Search by address online at on.nyc.gov/BISweb.



Letter of No Objection

- Call and ask your local borough office of NYC Buildings. Get contact details at on.nyc.gov/DOBoffices.

CHECK IF IT FITS YOUR NEEDS

Certificate of Occupancy and Temporary Certificate of Occupancy

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Certificate of Occupancy

CO Number: 123456789A123

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. This document or a copy shall be available for inspection at the building at all reasonable times.

A. Borough: Brooklyn	Block Number: 12345	Certificate Type: Temporary
Address: 123 EXAMPLE AVENUE	Lot Number(s): 1	Effective Date: mm/dd/yyyy
Building Identification Number (BIN): 1234567	Building Type: Altered	Expiration Date: mm/dd/yyyy

For zoning lot metes & bounds, please see BISWeb.

B. Construction classification: OLD CODE: #

Building Occupancy Group classification: A-2

Multiple Dwelling Law Classification: None

No. of stories: 3 **Height in feet:** 30 **No. of dwelling units:** 0

C. Fire Protection Equipment:
None associated with this filing.

D. Type and number of open spaces:
None associated with this filing.

E. This Certificate is issued with the following legal limitations:
None

Outstanding requirements for obtaining Final Certificate of Occupancy:
There are 7 outstanding requirements. Please refer to BISWeb for further details.

Borough Comments: None

 
 Borough Commissioner Commissioner

DOCUMENT CONTINUES ON NEXT PAGE

Layout of space. It sets the arrangement of rooms, staircases, and exits to what is shown on approved building plans, which are held on file at the local borough office of NYC Buildings. Talk to a licensed professional to help get the plans and review the current space or proposed changes. Find a professional at bit.ly/NYlicensedpro.

Predictability over time. "Final" means you have a Certificate of Occupancy, which can give long-run assurance your business can operate in the space. "Temporary" means you have a Temporary Certificate of Occupancy, which must be renewed every 30, 60, or 90 days. Your business may be disrupted if the renewal is not processed in time or fees are not paid.

Legal limitations and unresolved issues. On a Temporary Certificate of Occupancy, open issues that must be closed before a final Certificate of Occupancy can be obtained are indicated here.

Use or business type. It sets the use of a given space. Talk to a licensed professional to learn whether a building's Certificate of Occupancy matches your use. For you to change an industrial shop into a bar, for example, your building would need a new Certificate of Occupancy. Find a professional at bit.ly/NYlicensedpro.

Number of people. It may limit the number of people you can have in your business at once. For indoor spaces where 75 or more people are hosted, an additional certificate is needed: the Place of Assembly Certificate of Operation. Learn more at on.nyc.gov/infoPofA.

If no record appears, the building may have a Letter of No Objection. Check with your local borough office of NYC Buildings at on.nyc.gov/DOBoffices.

Permissible Use and Occupancy

All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.

Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001	50	100	A-2		6	RESTAURANT
002		50	RES		2	APARTMENT
003		50	RES		2	APARTMENT

END OF SECTION

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