



**BUILDINGS**  
**2023-015**  
**BULLETIN**  
**TECHNICAL**

**ISSUANCE DATE**  
October 17, 2023

**ISSUER:** Keith L. Wen, R.A.   
Assistant Commissioner  
Code & Zoning Interpretation

**PURPOSE:** This Bulletin rescinds 26 Memoranda issued by the Department but are no longer applicable under current Codes and Local Laws.

**SUBJECT(S):** Rescinding Memoranda

## RESCINDED DOCUMENTS

Memo 8/13/71, Memo 3/9/77, Memo 12/9/71, Memo 10/28/69, Memo 7/24/68, Memo 1/14/88, Memo 11/13/78, Memo 8/20/71, Memo 7/24/72, Memo 2/8/78, Memo 4/13/84, Memo 5/2/84, Memo 5/3/77, Memo 5/17/77, Memo 7/6/76, Memo 7/15/74, Memo 5/21/75, Memo 2/23/72, Memo 11/19/71, Memo 2/7/68, Memo 11/4/71, Memo 7/25/79, Memo 5/5/75, Memo 8/13/79, Memo 4/11/89, Memo 1/25/90

## BACKGROUND

The Department of Buildings periodically reviews published Buildings Bulletins (BB), Policy and Procedure Notices (Technical, Operational, Legal, Administrative, OTCR) and the various Directives, Executive Orders, Memoranda and Letters issued in the past to ensure their continued consistency with current Departmental practice and to verify that new laws and regulations are incorporated into these documents.

The above listed Memoranda are rescinded effective immediately and are attached therein.

The rescinded documents will appear on the Department's website with the watermark **RESCINDED**. Because this review is ongoing, documents not specifically listed in this Bulletin may be addressed in future bulletins. Watermarked Memoranda, Directives, Executive Orders and Letters may be accessed through the online version of this Bulletin at [www.nyc.gov/site/buildings/codes/building-bulletins.page](http://www.nyc.gov/site/buildings/codes/building-bulletins.page).

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 13, 1971

TO: Borough Superintendents

FROM: Irving E. Minkin, Ass't. Director of Operations

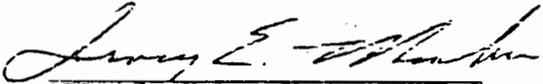
SUBJECT: Issuance of Certificates of Occupancy for New Buildings -  
Amendment to Directive #33 of 1970, - Fire Safety Plan

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Herewith forwarded are copies of Rules promulgated by the Fire Department governing Fire Drills and Evacuation for Office Buildings and Buildings Classified as Occupancy Group E (Business) published in the City Record August 11, 1971. These rules are effective on and after September 11, 1971, pursuant to section 1105 of the New York City Charter.

This supplements my memorandum dated July 14, 1971, in regard to an affidavit required to be filed concerning the Fire Safety Plan before issuance of certificates of occupancy for certain buildings.

IRM/sl

  
Irving E. Minkin, P.E.  
Ass't. Dir. of Operations

cc: Exec. staff

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: March 9, 1977

TO: Borough Superintendents  
FROM: Irving E. Minkin, P.E., Director of Operations  
SUBJECT: HIGHWAY CERTIFICATION BY HOUSING AUTHORITY FOR  
CERTIFICATE OF OCCUPANCY

In a Cooperation Agreement between the New York City Housing Authority and the City of New York, dated Dec. 27, 1965, the City is obligated to do all street grading, paving and curbs in connection with Authority projects. The Authority is obligated to install sidewalks abutting their projects.

For the purposes of the filing of an application and the obtaining of a Certificate of Occupancy for a new building, the Department of Highways certification shall not be required when the New York City Housing Authority, as a duly authorized agent for the Department of Highways, submits certification that:

1. The sidewalks abutting the above structure at said location have been suitably improved in accordance with the requirements of Section 230 of the New York City Charter and Section 36 of the General City Law;

2. The street or highway above noted, giving access to the subject structure, is shown on the City map and has been or will be suitably improved. In the event that the street or highways above noted has not been improved, the Authority alternately should certify that in its opinion such street or highway is adequate and safe for the purpose required.

  
Irving E. Minkin, P.E.  
Director of Operations

IEM:WCK:ah

cc: Comm. J. T. Walsh  
Dep. Comm. A.J. Jenkins  
Asst. Comm. B.F. Parascandola  
Executive Staff

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

*Memo Burke*

*Thomas V. Burke*

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: December 9, 1971

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Application For Certificate of Occupancy -  
New Form For Denial Letter

A supply of new form "B Form 24R" is being forwarded to each borough.

OBJECT:

1. To minimize time spent in reviewing requests for Certificate Of Occupancy, especially those requests which are premature.
2. Achieve uniformity in Procedure of Denial of Request for Certificate of Occupancy.

ACTION REQUIRED:

Please make use of FORM 24R when Denial of Request for Certificate of Occupancy is deemed necessary.

TVB/PEO/sl

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

Attachment: "B Form 24R"

CC: Executive staff

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**



HOUSING AND DEVELOPMENT ADMINISTRATION  
ALBERT A. WALSH, Administrator

Department of Buildings  
100 GOLD STREET, NEW YORK, N. Y. 10038

JOSEPH STEIN, P. E., Commissioner  
FRANK PADAVAN, Deputy Commissioner

*Manhattan*  
MUNICIPAL BUILDING  
NEW YORK, N. Y. 10007  
*The Bronx*  
1932 ARTHUR AVENUE  
BRONX, N. Y. 10453  
*Brooklyn*  
MUNICIPAL BUILDING  
BROOKLYN, N. Y. 11201  
*Queens*  
126-06 QUEENS BLVD.  
KEW GARDENS, N. Y. 11415  
*Richmond*  
BOROUGH HALL  
ST. GEORGE, N. Y. 10301

DATE: \_\_\_\_\_

APPLICATION NO. \_\_\_\_\_

PREMISES: \_\_\_\_\_

BOROUGH OF \_\_\_\_\_

Dear Sir:

Your application for a (Temporary, Permanent or Amended) Certificate of Occupancy has been rejected. The grounds for said rejection are listed as checked below:

- Conflicting Affidavit of Supervision
- Dep't. of Water Resources Sewer Report Req'd.
- Steel Stress Affidavit Required
- Fire Dept. Oil Burner Permit Required
- Fire Dept. Certification Pending
- Sprinkler Application Pending
- Standpipe Application Pending
- Property Description Not Clear
- Approved Use Disagrees With C.O. Application
- Completion Date is Beyond Date Specified by Variance (BSA) (CPC)
- Forms 10A, 10B, 10C, 10D Required
- Form 10E Required for \_\_\_\_\_
- Form 10F Required For \_\_\_\_\_
- This Application for a Certificate of Occupancy Has Not Been Processed Beyond A Review Of The Above Items As The Extent Of Incompleted Items Indicates that The Application Is Premature. Please Submit A Newly Dated application when building is completed sufficiently to permit issuance of a Certificate of Occupancy.
- Survey Required
- Mechanical Vent. Report/Plans Required
- Public Assembly Application Not approved
- Owner's M.D. Registration Required
- Highway Certification Letter Required
- Amendment Pending
- Violation Pending
- Tax Department Certification Required
- Curb Cut Permit Required
- Health Department Report Required
- Equipment Use Permit Req'd. Or Pending
- Air Conditioning System
- Refrigeration System
- Ventilation System
- Heating System
- Other \_\_\_\_\_

Very truly yours,

Borough Superintendent  
Department of Buildings

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

C O P Y

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

Certificate of  
Occupancy

DEPARTMENTAL MEMORANDUM

DATE: October 28, 1969

TO: Boro. Supt. John J. Walsh, Richmond

FROM: Thomas V. Burke, Director of Operations

SUBJECT: Certificates of Occupancy for New Private Dwellings

The following procedure shall be established for providing notice of objections to issuance of certificates of occupancy for new private dwellings to the purchasers of such buildings as well as to the builders and architects:

1. When the purchaser of a new private dwelling requests the information, or when an application for a certificate of occupancy has been filed, the objections to issuance of a certificate of occupancy are to be listed.
2. The objections due to requirements of other departments, such as Highways, Health and Real Property Assessment, are to be listed first.
3. The objections of the Building Department, such as final survey, incomplete construction, plumbing, etc., are to be listed next.
4. A note is to be placed on the objection sheet, that approvals of other departments must be obtained before a certificate of occupancy is issued and that the building must be completed so as to eliminate objections of the Building Department.
5. The name and address of the purchaser of a building, who, it is expected, will occupy the building, is to be obtained from the builder or from the bank holding the mortgage, where possible.
6. A notice of objections to issuance of a certificate of occupancy is to be sent to the purchaser and to the builder or architect.

(Signed)  
\_\_\_\_\_  
Thomas V. Burke  
Director of Operations

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, NY 10013

CHARLES M. SMITH, Jr., R.A., Commissioner

STEWART D. O'BRIEN  
Deputy Commissioner  
Administration & Operations  
312-8001

M E M O R A N D U M

TO: Borough Managers  
FROM: Stewart D. O'Brien  
DATE: January 14, 1988 *1/14/88 SDO*  
RE: Typing and Copies of Certificates of Occupancy

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Effective immediately.

1. All Certificates of Occupancy must be typed by the Department.
2. The original shall then be photocopied.
3. After photocopying, signature stamps of the borough superintendent, and the signature of the C of O clerk must be affixed on each copy.

/dd  
cc: Executive Staff  
Borough Superintendents  
Deputy Borough Superintendents  
Chief Plan Examiners

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015  
DEPARTMENT OF BUILDINGS**

DEPARTMENTAL MEMORANDUM

DATE: November 13, 1978

TO: Borough Superintendents  
FROM: Philip E. Olin, Director of Operations  
SUBJECT: Copies of Certificate of Occupancies for Fire Department

Commencing immediately, a copy of every new Certificate of Occupancy shall be sent weekly to:

Chief-in-Charge  
Division of Fire Prevention  
Fire Department  
Municipal Building, Room 1128  
Brooklyn, N.Y., 11201

This includes amended, new, as well as first issued Certificates of Occupancies based upon a new building or alteration application.

  
Philip E. Olin, P. E.  
Director of Operations

PEO:WCK:ah

cc: Executive Staff  
Fire Dept.

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 20, 1971

TO: Borough Superintendents

FROM: Irving E. Minkin, Deputy Director of Operations

SUBJECT: Amendment to Directive 33 of 1970  
Issuance of Certificates of Occupancy for New Buildings - Fire Safety Plan

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This memorandum supersedes my memoranda of July 14, 1971 and August 13, 1971. The Fire Department has promulgated rules for Fire Drill and Evacuation Rules for Office Buildings and Buildings Classified as Occupancy Group E (Business), which become effective on September 11, 1971.

These rules were published in the City Record of August 11, 1971. Your particular attention is directed to Rule 5 - Fire Safety Plan, subdivision c, which reads as follows:

"The owner or other person having charge of a hereafter erected building in occupancy Group E as classified in the Building Code and designed to be occupied by more than 500 people or by more than 100 people above or below street level shall submit their Fire Safety Plan to the Fire Department prior to issuance of temporary or permanent Certificate of Occupancy."

A certification by the owner or other person in charge, to the effect that such a plan has been submitted to the Fire Department shall be accepted as compliance with this requirement. No acknowledgment or approval from the Fire Department shall be required.

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IEM:JWS:ASR

  
Irving E. Minkin  
Deputy Director of Operations

cc: Executive Staff  
Industry

-563-

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

DEPARTMENTAL MEMORANDUM

Date: July 24, 1972

To: Borough Superintendents

From: Thomas V. Burke, Director of Operations

Subject: Amendment to Directive 33 of 1970  
Issuance of Certificates of Occupancy for New Buildings -  
Fire Safety Plan

This memorandum supersedes the previous memoranda on the above subject. The Fire Department has amended the "Fire Drill and Evacuation Rules for Office Buildings and Buildings Classified as Occupancy Group E (Business)," to become effective August 7, 1972. Copies of the rules are attached.

The rules, as amended, were published in the City Record of July 5, 1972.

Your particular attention is directed to Rule 5 - Fire Safety Plan, subdivision c, which reads as follows:

"The owner or other person having charge of a hereafter erected building in occupancy Group E as classified in the Building Code and designed to be occupied by more than 500 people or by more than 100 people above or below street level shall submit their Fire Safety Plan to the Fire Department prior to issuance of temporary or permanent Certificate of Occupancy."

A certification by the owner or other person in charge, to the effect that such a plan has been submitted to the Fire Department, shall be accepted as compliance with this requirement. No acknowledgment or approval from the Fire Department shall be required.

  
Thomas V. Burke

Director of Operations

TVB/df  
Att.

CC: Exec. Staff  
Architects Societies

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: February 8, 1978

TO: Borough Superintendents

FROM: Director of Operations Irving E. Minkin, P.E.

SUBJECT: Heat Complaints from New Buildings with  
Temporary Certificates of Occupancy

Ordinarily, the Division of Code Enforcement will not make heat complaint inspections of premises not listed as a lawful dwelling; and, in the case of new construction (both new buildings and rehabilitations), until a final certificate of occupancy is issued, and the building registered.

When heat complaints from buildings having temporary certificates of occupancy are received, both the Division of Code Enforcement and our Boiler Division are to be notified promptly. If the Boiler Division finds cause for a violation, and the Division of Code Enforcement confirms the validity of the heat complaint, your office shall attempt to have the owner or general contractor remedy the deficiencies. If this is unsuccessful, then you should certify promptly a need for emergency repairs, to the Office of Rent and Housing Maintenance.

IEM/df

  
Irving E. Minkin, P.E.  
Director of Operations

CC: Comm. Walsh  
Exec. Staff  
Ch. Boiler Insp. Dillon  
Frank Dell'Aira, HP&D  
Dan Joy, HP&D

1432

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

**THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE: April 13, 1984**

**TO: BOROUGH SUPERINTENDENTS**

**FROM: Commissioner Charles M. Smith, Jr., R.A.**

**SUBJECT: Inclusion of BSA Variance on Certificates of Occupancies**

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Section 72-22 of the Zoning Resolution mandates that conditions and restrictions applying to the granting of a variance "shall be incorporated in the building permit and certificate of occupancy".

In order to assure compliance with the foregoing, in addition to the previous practice of referring to the BSA cal. no. in the Building Department application specification sheet and the Certificate of Occupancy, a synopsis of the conditions of the variance shall hereafter be required on both the application specification sheet and the Certificate of Occupancy.

This requirement shall be effective immediately for all applications which have not received a final Certificate of Occupancy.

  
Charles M. Smith, Jr., R.A.  
Commissioner

CMS:IEM:ow

cc: Chairperson Deutsch  
Deputy Commissioner Minkin  
Deputy Commissioner Madonia  
Assistant Commissioner Dennis  
Assistant Commissioner White  
BIAC Professional Societies

1978

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 2, 1984

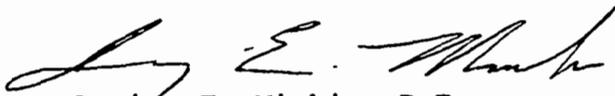
TO: Borough Superintendents

FROM: Deputy Commissioner Irving E. Minkin, P.E.

SUBJECT: Inclusion of BSA Variance on Certificates of Occupancies

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In implementation of Commissioner Smith's memorandum of 4/13/84 regarding inclusion of a synopsis of the conditions of a BSA variance on certificates of occupancy, be guided by the enclosed letter of Chairperson Deutsch dated 4/23/84 regarding verification of inclusion of all relevant and material conditions.



Irving E. Minkin, P.E.  
Deputy Commissioner

IEM:ap

cc: Commissioner Smith  
Deputy Commissioner Madonia  
Ass't. Commissioner Dennis  
Ass't. Commissioner White  
Exec. Engr. Polsky  
File

1979

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 3, 1977

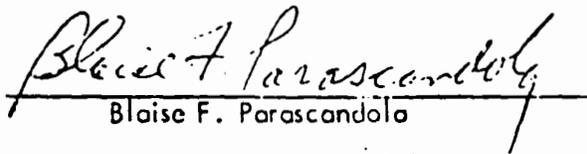
TO: ALL BOROUGH SUPERINTENDENTS

FROM: Blaise F. Parascandola, Assistant Commissioner

SUBJECT: Local Law No. 5/1973 - Approval of Request For Certificate of Occupancy

This memorandum re a previous memorandum on this subject issued by me on July 6, 1976. All requests for temporary or final certificates of occupancy involving buildings governed by Local Law No. 5/73 shall be issued according to the following procedures:

- 1) Where the applicant indicates there is non compliance with the February 7, 1976 and prior Local Law No. 5 provisions and that there is no intention of complying with same at present then a statement shall be included on the certificate of occupancy as follows: "This certificate does not denote compliance with the provisions of Local Law No. 5/73. This building shall be required to comply with the aforesaid law and such amendments or modifications that might result from the determination of the ultimate decision on appeal in the law suit *Mc Callin et. al. v Walsh*, at Supreme Court, New York County, Index #22781/75 for which a decision was rendered after the trial on January 24, 1977."
- 2) Where an applicant indicates that there is compliance with the February 6, 1976 and prior Local Law No. 5 provisions then the approval of the request for a certificate of occupancy shall be handled in the usual manner.
- 3) Applicants requesting approval of certificates on new building applications for buildings which are not governed by the provisions for existing buildings of Local Law No. 5/73 shall not avail themselves of the procedure outlined in No. 1 above.

  
Blaise F. Parascandola

BFF/nls

cc: Comm. Walsh  
Deputy Comm. Jenkins  
L. Dwoskin  
I. Minkin ✓  
L. Beck  
P. Goldstein  
Chief Ifshin, Fire Dept.

1307

MAY 4 1977

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

May 17, 1977

ALL BOROUGH SUPERINTENDENTS

Blaise F. Parascandola, Assistant Commissioner

Local Law No. 5/1973 - Approval of Request For Certificate of Occupancy

This memorandum revises previous memorandum on this subject issued by me on May 3, 1977. All requests for temporary or final certificates of occupancy involving buildings governed by Local Law No. 5/73 shall be issued according to the following revised procedures:

- 1) Where the applicant indicates there is non compliance with the February 7, 1976 and prior Local Law No. 5 provisions and that there is no intention of complying with same at present then a statement shall be included on the certificate of occupancy as follows:  
"This certificate does not denote compliance with the provisions of Local Law No. 5/73. This building shall be required to comply with the aforesaid law and such amendments or modifications that might result from the determination of the ultimate decision on appeal in the law suit *Mc Callin et. al. v Walsh*, at Supreme Court, New York County, Index #22781/75 for which a decision was rendered after the trial on January 24, 1977."

This statement shall also be included by the applicant on his application for certificate of occupancy.

- 2) Where an applicant indicates that there is compliance with the February 6, 1976 and prior Local Law No. 5 provisions then the approval of the request for a certificate of occupancy shall be handled in the usual manner.
- 3) Applicants requesting approval of certificates on new building applications for buildings which are not governed by the provisions for existing buildings of Local Law No. 5/73 shall not avail themselves of the procedure outlined in No. 1 above.

S  
Blaise F. Parascandola  
Assistant Commissioner

BFP/mb

cc: Comm. Walsh

Deputy Comm. Jenkins

L. Dwaskin

I. Minkin ✓

L. Beck

P. Goldstein

Chief Irish, Fire Dept.

R.E. Jones, L. Hiteman

1308

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: July 6, 1976

TO: ALL BOROUGH SUPERINTENDENTS

FROM: Blaise F. Parascandola, Assistant Commissioner

SUBJECT: Local Law No. 5 - Request For Certificate of Occupancy

This memorandum will confirm procedures regarding the issuance of temporary or final Certificate of Occupancy for buildings governed by the provisions of Local Law No. 5/73 notwithstanding the pending injunction issued by the Supreme Court, New York County, in *Mc Callin v Walsh*.

- 1) All temporary certificates that were issued prior to February 7, 1976, shall be renewed automatically as they become due and a tickler system should be kept to renew same as they become due.
- 2) Requests for new temporary certificates for buildings for which work was completed over the 100 ft. level subsequent to February 7, 1976 shall be forwarded to my office for reconsideration by the Commissioner.
- 3) Where temporary certificates were issued prior to February 7, 1976 and additional floors are requested to be included over the 100 ft. level, these requests shall also be forwarded to my office for reconsideration by the Commissioner.
- 4) No final Certificate of Occupancy shall be issued unless all requirements of Local Law No. 5/73 have been complied with.

BFP/mb  
cc: Comm. Walsh  
Deputy Comm. Jenkins  
I. E. Minkin  
L. Beck

  
Blaise F. Parascandola

1191

JUL 7 1976

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: July 15, 1974

TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: MANUAL FOR PROCESSING CERTIFICATE OF OCCUPANCY (C.of O.) APPLICATIONS

INTRODUCTION:

The new procedure incorporates much of the procedure already in use. One purpose is to eliminate inspections for a C.of O. when the building is not ready for such inspection.

Some basic concepts are:

- A. All temporary certificates shall contain a reference to the specific expiration date.
- B. All temporary certificates of occupancy shall have the word TEMPORARY in capital letters after the C.of O. number.
- C. Pending C.of O. application papers will be maintained as three separate files during processing.
  1. Control File I: Applications awaiting the construction inspectors report that the building is ready for a C.of O. inspection.
  2. Control File II: Applications awaiting inspectors reports approving or disapproving the request for a C.of O.
  3. Pending File: Applications where department processing is complete but further action is required by the applicant i.e., objections reported by all inspectors (applicant notified), awaiting special letters from the Department of Highways Fire Department, etc.

Control file I and II are used as a part of a chase or tickler procedure to insure that applications are processed diligently.
- D. A tickler card system will be maintained under the control of the Borough Office Manager for long term (expiration a year or longer) C.of O's
- E. Clarifies the responsibility of each unit involved in processing a C.of O. application and in particular the inspectors' responsibility under Directive 33 of 1970, page 305-316\*, Volume II.
  1. The construction inspector shall, by checking his Permanent Inspection record card and his copies of approved papers, determine that all controlled inspection reports, have been submitted and approved; that required steel affidavits, aluminum affidavits, and welding inspection have been submitted and approved and that Place of Assembly applications are filed when required.

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

INTRODUCTION: continued

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- E. 2. Inspectors in each trade are to determine that all applicable applications for their trade have been filed and approved, completed and signed; that there are no violations pending for their trade, that there are no open applications for their trade. A field inspection is not required if no work is shown for a trade and there are no violations, etc., pending.
- F. A check list is being prepared for the construction inspectors which will include among other things a check for the receipt of boiler equipment use permit, the issuance of equipment use permits for ventilating system, air conditioning, final survey, etc.
- G. The various activities performed in the C.of O. unit shall be batched for efficient operation (handle several applications at a time in the step by step procedure).
- H. When a C.of O. is required the construction inspector shall sign off the building application only when he is recommending the issuance or approval of the C.of O. application.

This procedure is to be implemented at once.

*Thomas V. Burke*

Thomas V. Burke, P.E.  
Director of Operations

*John F. Sullivan*

TVB/LR/sc

cc: Staff

904

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
**HOUSING AND DEVELOPMENT ADMINISTRATION**  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

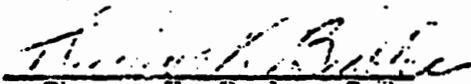
DATE: May 21, 1975

TO: Borough Superintendents  
FROM: Thomas V. Burke, P.E., Director of Operations  
SUBJECT: PROCESSING OF C of O APPLICATIONS

The manual for processing Certificate of Occupancy applications, Section 1, Page 1, reads:

"Requests for an exact renewal of a previously issued short term temporary Certificate of Occupancy may be made either on the standard Form 24 or by letter (in duplicate copy for applicant). Exact renewals of short term (90 days or less) may be processed by the Certificate of Occupancy unit without reinspection. See Step 3B and 11A".

This provision shall be considered mandatory. Exact renewals of short term Certificates of Occupancy shall be issued by the C of O unit, without referral to the inspectional division. When the combined term for an exact renewal totals one year, including the original, the application for exact renewal shall be referred to the borough superintendent for a decision re further renewal without reinspection.

  
Thomas V. Burke, P.E.  
Director of Operations

TVB:LR:ah

cc: Exec. Staff

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

TO: Borough Superintendent (Richmond)

DATE: FEBRUARY 23, 1972

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: TEMPORARY CERTIFICATES OF OCCUPANCY FOR NEW PRIVATE DWELLINGS -  
APPLICABLE TO BOROUGH OF RICHMOND ONLY  
Modification to Directive 33 of 1970, Dated August 10, 1970

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Attached, is a modification to Directive 33 of 1970. This modification is applicable to the borough of Richmond only. It is the intent of this modification to Directive 33 of 1970, (which deals with issuance of certificates of occupancies for new buildings), to provide for the issuance of temporary certificates of occupancy for one and two family dwellings.

Category "E" of Directive 33 of 1970, dated August 10, 1970, has been modified. In addition, a new category "F" has been added.

This modification to Directive 33 of 1970, is effective immediately and is applicable to the borough of Richmond only.

TVB/PEO/sl

*Thomas V. Burke*  
Thomas V. Burke, P.E.  
Director of Operations

cc: Executive staff  
Industry  
Advisory Council  
Holt Meyer - Office of S.I. Development  
New York City Builders Association  
Staten Island Chapter, A.I.A.  
Richmond County Chapter of N.Y.S.P.E. Society  
Borough Superintendents-(Bronx, Brooklyn, Manhattan, Queens:  
(For information only; not for implementation)

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

*J.H.W.*

SUPPLEMENT NO. 1  
TO  
DIRECTIVE NO. 33 OF 1970

TO: Borough Superintendents

DATE: November 19, 1971

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: Issuance of Certificates of Occupancy For New Buildings,  
Inclusion of Requirement of Concrete Test Cylinder Reports  
To Be Filed Prior To The Issuance Of A Temporary Certificate  
Of Occupancy For Non-Residence Buildings

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Add requirement #11 to category

"C" TEMPORARY CERTIFICATES OF OCCUPANCY FOR NEW NON-RESIDENCE BUILDINGS

11. Form 10C and partial Form 10D shall be filed and approved to encompass all portions for which occupancy is being requested. Also, Form 10C and concrete test cylinder reports and partial Form 10D shall be filed and approved for such other portions of the building as may affect the areas for which occupancy is being requested (e.g. elevator sheave beam supports if constructed of reinforced concrete, dunnage beams for roof tanks if constructed of reinforced concrete, etc.)

TVB/PEO/sl

  
Thomas V. Burke, P.E.  
Director of Operations

cc: Exec. staff  
Advisory Council  
Industry

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

C O P Y  
The City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
Department of Buildings

**CERTIFICATES OF OCCUPANCY**

MEMORANDUM

TO: Borough Superintendents

DATE: February 7, 1968

FROM: Thomas V. Burke, Director of Construction

SUBJECT: Certificates of Occupancy

The rules for posting certificates of occupancy became effective on May 4, 1967. The following procedure shall be established in order to obtain compliance with the rules:

1. In each borough office, a clerk is to be assigned to take from the index cards, the addresses of the buildings for which certificates of occupancy have been issued and to list with the addresses, the number of the most recent certificate of occupancy issued for each building. The listing shall include only final certificates of occupancy. Note that posting of certificates of occupancy for one-and two-family dwellings is not required.
2. Each morning a copy of the listings made the previous day is to be sent to the chief construction inspectors. A copy is to be sent to the Fire Department also.
3. The chief construction inspectors, upon receipt of such listings, shall distribute copies to the inspectors of the areas shown on the listings. Construction inspectors shall make inspection of the buildings listed to determine whether the certificate of occupancy has been posted, as required by the rules. If not, a violation order shall be filed to require that the certificate be posted. Where it is found that a certificate has been posted, the inspector shall check the use of the non-residence parts of the building to ascertain whether the uses in the building conform to the certificate of occupancy. Violation orders shall be filed where uses do not conform.
4. The borough clerks and the chief construction inspectors shall maintain copies of the listings obtained from the index cards.
5. A copy of each certificate of occupancy issued on or after January 1, 1968, shall be sent to the Fire Department in accordance with the request of Fire Commissioner Lowery, except that copies of certificates of occupancy for one- and two-family dwellings and for buildings accessory to such dwellings and copies of temporary certificates of occupancy shall not be sent to the Fire Department.
6. Copies of listings and of certificates of occupancy to be sent to the Fire Department, shall be addressed to William Seifried, Chief of the Fire Prevention Bureau, Fire Department, Municipal Building, Brooklyn, N.Y. 11201.

**RESCINDED BY BUILDINGS  
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C O P Y

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Borough Superintendents

Re: Certificates of Occupancy

This procedure shall be established as quickly as possible.

It should be noted that upon issuance of violation orders to require posting of certificates of occupancy, there will be an increased demand for copies of certificates of occupancy. Arrangements should be made in each borough office so that such copies may be issued without delay.

/s/

THOMAS V. BURKE

Thomas V. Burke

Director of Construction

IVE:df

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: November 4, 1971

TO: Borough Superintendents

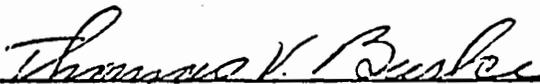
FROM: Thomas V. Burke, Director of Operations

SUBJECT: Certificates of Occupancy for Schools of  
Board of Education

A copy of a memorandum of Hugh McLaren, Jr., Executive Director of the Office of School Buildings of the Board of Education, dated November 1, 1971, is attached, which requires that notice of schools that will open on the following September be sent to the Borough Superintendents on June 1st. This will permit processing of applications for certificates of occupancy after notice and will permit the work required for a certificate of occupancy to be completed.

TVB/df  
Att.

CC: Exec. Staff

  
Thomas V. Burke  
Director of Operations

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

**THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS**

**DEPARTMENTAL MEMORANDUM**

**DATE: July 25, 1979**

**TO: All Construction Inspectors, Staten Island**  
**FROM: Philip Goldstein, PE, Borough Supt.**  
**SUBJECT: Certificate of Occupancy Inspection-  
Residential Developments.**

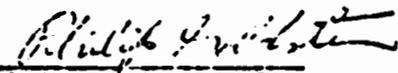
When a construction inspector appears at a development site for a Certificate of Occupancy inspection on a completed building, and he has made no previous inspections of such building, he shall check to see whether there are other buildings on the site in various stages of construction.

He shall inspect other typical buildings on the site for compliance with plans and law. He shall assume that the work found in the buildings which are not completed are typical of hidden work in the building for which he is making the certificate of occupancy inspection.

Defects found in the uncompleted buildings shall be cause for filing violations and certificate of occupancy objections on all the buildings of the development.

PG/lr

cc: Dept. Boro Supt. Sobel  
Ch. Arc. Trivisonno  
Ch. Const. Insp. Krishok  
Comm. Fruchtman  
Dept. Comm. Minkin  
Asst. Comm. Operations Dennis  
Insp. Gen. Klein  
NYC Assn. Home Builders

  
Philip Goldstein, PE  
Borough Supt. Staten Island

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JUL 27 1979

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 5, 1975

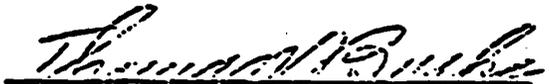
TO: Borough Superintendents

FROM: Thomas V. Burke, P.E., Director of Operations

SUBJECT: REISSUANCE OF TEMPORARY CERTIFICATES OF OCCUPANCY  
FOR BOARD OF EDUCATION FOREIGN SCHOOLS

Attached herewith is a copy of a form letter which will be sent to the borough office requesting inspection and reissuance of a Temporary Certificate for a term of 5 years. The letter may be signed by Mr. Bernard Iakrits who is now Director of Operations, Mr. Herbert Eisdorfer Director of Bureau of Maintenance and Personnel, with similar high echelon titles. (See letterhead)

The procedure to be followed in reissuing 5 year Certificates of Occupancy is my memorandum on the subject dated July 24, 1968, which may be found on page 80-81 of volume 1 of the bound directories.

  
Thomas V. Burke, P.E.  
Director of Operations

TVE:LR:ah

cc: Exec. Staff  
Ed. of Ed.  
Jos. B. Klein, Pa. St & Ap.

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 13, 1979

TO: Borough Superintendents

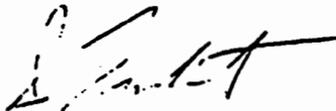
FROM: Commissioner Irwin Fruchtman, P.E.

SUBJECT: Temporary Certificates of Occupancy for  
Multiple Dwellings

On May 24, 1979, Section 301, sub-division 4, of the Multiple Dwelling Law was amended to allow temporary certificates of occupancy for all Multiple Dwellings, issued for periods of 90 days or less, to be extended for up to two years, at the discretion of the head of the department.

Borough Superintendents may implement this provision, effective immediately.

Enclosed is a copy of this amendment, signed into law by the Governor under Chapter 131 of the laws of 1979.



Irwin Fruchtman, P.E.  
Commissioner

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**RESCINDED BY BUILDINGS  
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**DEPARTMENT OF BUILDINGS**

**EXECUTIVE OFFICES**

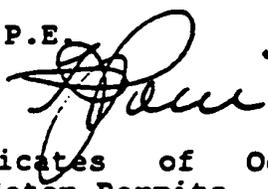
**60 HUDSON STREET, NEW YORK, N.Y. 10013**

**CHARLES M. SMITH, Jr., R.A., Commissioner**

**STEWART D. O'BRIEN**  
Deputy Commissioner  
Administration & Operations  
(212) 312-8001

**M E M O R A N D U M**

**TO:** Borough Superintendents

**FROM:** Fredric J. Pocci, P.E. 

**DATE:** April 11, 1989

**SUBJECT:** Temporary Certificates of Occupancy for New Buildings; Water Meter Permits

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Technical Policy and Procedure Notice #1/88 requires that a copy of the Department of Environmental Protection (DEP) permit to install the water meter, formally known as "Permit to Set Meter," be submitted prior to issuance of a Temporary Certificate of Occupancy.

In order for the "Permit to Set Meter" to be considered valid, it must be certified by a licensed plumber, and the date set must be provided. This form must also show a DEP-Water Register "Received" stamp.

If this criteria is not met the form should not be accepted.

/sr

cc: Stewart D. O'Brien  
Cornelius F. Dennis  
George Berger  
Deputy Borough Superintendents  
Borough Managers  
Chief Plumbing Inspectors  
James F. McLoughlin  
Irving Polsky  
Lenore Norman



**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES

60 HUDSON STREET, NEW YORK, N. Y. 10013

CHARLES M. SMITH, Jr., R.A. Commissioner

PETER FRANCONERI, P.E.

Assistant Commissioner/Operations

MEMORANDUM

To: Distribution  
From: Peter Franconeri   
Date: January 25, 1990  
Subject: TCO/CO Inspection Report Form

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**Effective:** For all applications for a TCO or CO that have first inspection scheduled on or after February 5, 1990 (i.e., no objections issued previously).

**Specifics:** The TCO/CO Inspection Report Form (OP-8 Revised 1/90) will be used for recording objections on all TCO/CO inspections. Detailed instructions for using the TCO/CO inspection report form are enclosed.

This form is to be used by the Construction Division and Plumbing Division only.

Inspectors should list all objections at the time of first inspection, however, if an item is missed it may be added later.

PF:HG:mh

THE CITY OF  
NEW YORK



DEPARTMENT OF BUILDINGS

**CERTIFICATE OF OCCUPANCY INSPECTION REPORT FORM**

Borough \_\_\_\_\_ Division \_\_\_\_\_

Page \_\_\_\_\_ of \_\_\_\_\_

Location \_\_\_\_\_

Mail To \_\_\_\_\_

CO Application/Job # \_\_\_\_\_

Address \_\_\_\_\_

Date Inspection Requested \_\_\_\_\_

OBJECTION CODES: N - New Objection R - Objection Removed O - Outstanding Objection			INSPECTION 1	INSPECTION 2	INSPECTION 3
ENTER 'R' WHEN OBJECTION REMOVED	OBJECTIONS	Date			
		Name			
		Badge#			
1.	_____				
2.	_____				
3.	_____				
4.	_____				
5.	_____				
6.	_____				
7.	_____				
8.	_____				
9.	_____				
NO ACCESS/NO RESPONSIBLE PARTY AVAILABLE (ENTER 'NA') .....					
NO OBJECTION TO ISSUANCE OF CO PENDING OFFICE REVIEW (ENTER 'OK') .....					
SIGNATURE OF THE INSPECTOR .....					

REMARKS \_\_\_\_\_

NO OBJECTION TO ISSUANCE OF CO

\_\_\_\_\_  
Name of Supervisor

\_\_\_\_\_  
Signature of Supervisor

\_\_\_\_\_  
Date

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL OBJECTIONS HAVE BEEN REMOVED BY ALL DOB DIVISIONS

OP-8 REV 1/90

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2023

**RESCINDED BY BUILDINGS  
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**TCO/CO INSPECTION REPORT FORM INSTRUCTIONS**

Upon receipt of a Certificate of Occupancy application (PW-6), the inspector completes the following sections on Form OP-8:

1. Borough
2. Division - Construction or Plumbing.
3. Location - Premises address where CO is to be issued.
4. CO Application/Job # - Number used for tracking application in borough office.
5. Date Inspection Requested - Enter the date on which the phone call is received from the applicant.
6. Mail To - The name as provided on Form PW-6.
7. Address - The address to mail objection list to, as provided on Form PW-6.

BEFORE WRITING THE OBJECTIONS, THE INSPECTOR MUST PRINT THE DATE OF THE INSPECTION, HIS OR HER NAME AND BADGE NUMBER IN THE APPROPRIATE INSPECTION COLUMN.

AFTER COMPLETING EACH INSPECTION, THE INSPECTOR MUST ENTER HIS OR HER SIGNATURE ALONG THE LINE MARKED "SIGNATURE OF THE INSPECTOR".

1. TO ENTER A NEW OBJECTION : The objections must be written clearly in the column marked "Objections". Enter objection code "N", for each new objection, in the appropriate inspection column.

2. TO REMOVE AN OBJECTION : To remove a previously raised objection, enter objection code "R", indicating removal of an objection, in the appropriate inspection column and in the far left column, titled "Enter 'R' When Objection Removed".

3. OUTSTANDING OBJECTIONS : For each old objection which has not been corrected, enter code "O" in the appropriate inspection column. Objection code "O" is for any outstanding objections.

4. NO ACCESS/NO RESPONSIBLE PARTY AVAILABLE : An inspection visit resulting in no access to the site is indicated by entering a "NA" in the appropriate inspection column, next to the line marked "No Access/No Responsible Party Available". Enter "NA" if there is no legitimate representative of the contractor at the time of the inspection.

5. SIGNING-OFF THE JOB : If there are no objections to the issuance of the CO or TCO, or all the outstanding objections have been corrected and removed, the inspector enters "OK" in row marked "No Objection To Issuance Of CO Pending Office Review". If the first inspection and office review result in no objections to the issuance of a CO or TCO, Form OP-8 does not need to be completed. The inspector should sign Form PW-6 only.

Instructions OP-8 (Rev 1/90)-1

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6. ENTERING REMARKS : Any remarks, comments or special findings should be reported in the section marked "Remarks". To relate the remarks to a specific objection, enter the objection number in front of the remarks.

7. MORE THAN 3 INSPECTIONS : On the CO Inspection Report form there is space for three inspections and nine objections. If the number of CO inspections exceeds three or if there are more than nine objections to the issuance of the CO, a new form must be attached. Always write the page number on any additional form used.

8. NO OBJECTION TO ISSUANCE OF CO : After the inspector indicates "OK" in the row marked "No Objection To Issuance Of CO Pending Office Review", the division office researches the files and records to verify that no violations are pending and all reports and forms have been filed. If there are no outstanding violations and all reports and forms have been filed, the inspector's supervisor writes his or her name on the line for "Name of Supervisor" and signs and dates where "Signature of Supervisor" and dates are required. The inspector signs form PW-6, as required.

**DISTRIBUTION OF COMPLETED FORM**

After each inspection, 3 photocopies of this form are made, and distributed as follows:

CONTRACTOR/APPLICANT COPY One photocopy is mailed to the person indicated in the box marked "Mail to" in the top right section of this form.

CO SECTION COPY One photocopy is forwarded to the CO section.

DEPARTMENT COPY One photocopy of the form is forwarded to PMA (Attn:Sanjay Madan), 60 Hudson Street, 14th Floor.

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

The City of New York  
DEPARTMENT OF BUILDINGS

SCHOOLS

To: Borough Superintendents

Date: July 24, 1968

From: Thomas V. Burke, Director of Operations

Subject: Portable School Buildings

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A considerable number of portable school buildings, of class 5, metal construction, have been approved by the Board of Standards and Appeals for specific locations. The approvals were limited to a period of five years. The buildings have been constructed by the Board of Education.

The time limitation of five years has expired for many of the buildings and will expire shortly for others. Certificates of occupancy have been limited to the five-year period.

Violation orders have been filed to require that approval of the Board be obtained for extensions of the five-year limitations, and that new certificates of occupancy be obtained.

At a meeting of Commissioner O'Neill, Hugh McLaren, Executive Director of the Office of School Buildings, Joseph Klein, Commissioner of the Board of Standards and Appeals, on June 27th, 1968, it was decided that this department would extend the approvals of such buildings for an additional five years, provided the Board of Standards and Appeals would consent to such procedure.

By letter dated July 19, 1968, Chairman Glass of the Board advised Commissioner O'Neill that the Board had decided that the Commissioner of Buildings could renew the certificate of occupancy of the temporary school buildings for an additional period of five years, on condition that the design and materials of construction are substantially the same as those originally approved and provided that the Commissioner of Buildings determines that the structures are sanitary and safe for their intended use.

In conformance with the letter of Chairman Glass, Borough Superintendents shall renew the existing certificates of occupancy for an additional period of five years after expiration of the original approval, provided inspection of the buildings shows that they are sanitary and safe for such school use, and are substantially the same as originally approved.

A new temporary certificate of occupancy shall be issued, with the new expiration date, for the same use, live load, and number of persons as the original certificate. An application for such new certificate shall not be required from the Board of Education. A copy of each new certificate shall be sent to the Board of Education.

**RESCINDED BY BUILDINGS  
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Where a substantial change in construction or occupancy is found, a violation order shall be filed setting forth the nature of the change and requiring that an alteration application be filed and that a new certificate of occupancy be obtained.

(Signed)

Thomas V. Burke  
Director of Operations