

## SERVICE NOTICE

### Energy Storage Systems Applications: Updated Filing Requirements for OTCR Site-Specific Evaluation

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Updated Energy Storage Systems (ESS) filing requirements are issued by DOB's Office of Technical Certification & Research (OTCR) for site-specific evaluations and will take effect October 16, 2023.

[Buildings Bulletin 2019-002](#) established filing and submittal requirements for prescribed energy storage systems. More specifically, the Bulletin establishes submittal requirements for OTCR site-specific evaluation in accordance with the OTCR Battery Application Checklist.

The information in the checklist is now being provided in a more concise format. Download the new [OTCR Battery Application Checklist/Spreadsheet](#) from DOB's Office of Alternative Energy/Energy Storage System [web page](#).

After receipt of the OTCR2 application, applicants must submit the required information in accordance with the [OTCR Battery Application Checklist/Spreadsheet](#).

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

THE CITY OF NEW YORK  
**DEPARTMENT OF BUILDINGS**  
DIRECTIVE NO. 4 of 1979

DEPARTMENTAL MEMORANDUM

DATE: May 22, 1979

TO: Borough Superintendents

FROM: Irwin Fruchtman, P. E.  
Commissioner

SUBJECT: PROCEDURE TO REDUCE BACKLOG OF COMPLAINTS,  
VIOLATIONS AND CERTIFICATE OF OCCUPANCY APPLICATIONS

Directive No. 1 of 1976 and Supplement to Directive No. 1 of 1976 dated February 23, 1977, is hereby superseded by the following:

In order to utilize engineering and inspectional personnel more efficiently, the following procedures are to be implemented immediately as an attempt to reduce current backlogs of complaints, violations and certificate of occupancy applications to manageable proportions:

1. COMPLAINTS. Complaints which are more than two (2) years old and which have not been responded to by departmental personnel are to be reviewed. Those which appear to involve a hazardous condition are to be assigned for immediate inspection and appropriate action, in compliance with departmental memorandum dated August 24, 1973 and Directive 9 of 1973, dated November 2, 1973, copies of which are attached. All other complaints more than two (2) years old are to be cancelled without inspections. The complaint docket shall be so annotated for those cancelled.

2. VIOLATIONS. All violations which are more than five (5) years old are to be reviewed, and the following steps taken:

a. Minor violations are to be administratively cancelled without inspection. Examples of minor violations are as follows:

- (1) No plans available on premises for final inspection for Building Notices.
- (2) Water seepage into cellar floor.
- (3) Work completed based on approved Building Notice without obtaining a permit.
- (4) New store front erected without approval and permit.
- (5) Installation of a water closet and basin in commercial or public premises without a permit.
- (6) Erection of a patio, stoop, terrace, or balcony in a one family dwelling without a permit.

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- (7) Expiration of permit insurance for completed applications.

b. When the violation is to be administratively cancelled, the violation file, violation docket and index cards shall be so noted and a copy of the cancelled violation placed in the Block and Lot folder. Where the violation has been processed to court, a cancellation notification letter (B Form 37A) a copy of which is attached, shall be sent out with a copy retained in the violation file. Where the violation involves a public agency and therefore was not processed to court, a covering letter, a copy of which is attached (B Form 37B) shall be sent out with a copy retained in the violation file.

c. When the violation is not appropriate for cancellation, and when the owner of record is noted to be a corporation or firm with offices located in Manhattan, a copy of the violation and recent inspection report, and summonses prepared for responsible parties are to be forwarded to the Manhattan office. The process server presently assigned only to Manhattan will service the other boroughs as well.

3. CERTIFICATE OF OCCUPANCY APPLICATIONS. Applications for certificates of occupancy are to be reviewed, with the oldest applications given first priority. Where the objections precluding issuance of the certificates of occupancy are inconsequential, the C of O may be issued, without the necessity of any additional inspections. Where warranted, an inspection should be made to determine if prior objections have been substantially complied with.

4. Borough Superintendents should utilize plan examination personnel to the maximum extent feasible for items 2 and 3 above, and inspectional personnel for items No. 1 and as required for the other items, without seriously curtailing either routine plan examination or inspections. The Chief Engineer and Chief Construction Inspector shall be designated to supervise the above mentioned procedure.

  
Irwin Fruchtman, P. E.  
Commissioner

IF:WCK:ah

Attachments

cc: Executive Staff  
Professional Societies

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BULLETIN 2023-014**

B Form 31A



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

IRWIN FRUCHTMAN, P.E. Commissioner  
248-8811

**BORO OFFICES:**

**MANHATTAN**  
MUNICIPAL BUILDING  
NEW YORK, N. Y. 10007

**BRONX**  
1932 ARTHUR AVENUE  
BRONX, N. Y. 10457

**BROOKLYN**  
MUNICIPAL BUILDING  
BROOKLYN, N. Y. 11201

**QUEENS**  
126-06 QUEENS BLVD  
NEW GARDENS, N. Y. 11413

**STATEN ISLAND**  
BOROUGH HALL  
ST. GEORGE, N. Y. 10301

Violation No. \_\_\_\_\_

Premises \_\_\_\_\_

Borough of \_\_\_\_\_

Dear Sir:

You are advised that the subject violation, previously reported against the above premises, has been administratively cancelled.

Although there will be no further prosecution of the violation in the criminal courts, you are advised that such deviation from the Administrative Code can possibly be cause for a legal cloud on the premises in any future civil proceeding, and, be a deterrent to issuance of building permits you may seek in the future, and you are urged to voluntarily comply with the cancelled violation at your earliest convenience.

Very truly yours,

\_\_\_\_\_  
Borough Superintendent

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

**EXECUTIVE OFFICES**

120 WALL STREET, NEW YORK, N.Y. 10005

IRWIN FRUCHTMAN, P.E. Commissioner  
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ST. GEORGE, N.Y. 10301

Violation No. \_\_\_\_\_

Premises \_\_\_\_\_

Borough of \_\_\_\_\_

Dear Sir:

You are advised that the subject violation, previously reported against the above premises, has been administratively cancelled.

You are urged to voluntarily comply with the cancelled violation at your earliest convenience. This department will no longer monitor the specific situation.

Very truly yours,

\_\_\_\_\_  
Borough Superintendent

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BULLETIN 2023-014**



ISSUANCE # 403

**DEPARTMENT OF BUILDINGS**

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

RUDOLPH J. RINALDI, Commissioner

**TECHNICAL  
POLICY & PROCEDURE # 2/93**

**TO:** BOROUGH COMMISSIONERS/SUPERINTENDENTS

**FROM:** Richard C. Visconti, A.I.A.  
Acting Deputy Commissioner *W*

**DATE:** May 17, 1993

**SUBJECT:** Use Letters

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**EFFECTIVE:** Immediately

**PURPOSE:** To establish a uniform format to be used by all boroughs when responding to a request by a building owner to search department records pertaining to the use or occupancy of a premises in the absence of a Certificate of Occupancy.

**SPECIFICS:** The attached standard 'Use Letter' shall be issued.

**Attachment:** Use Letter Standard Form

**RCV:FA:ap**

**cc:** Distribution

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BULLETIN 2023-014**

Date: \_\_\_\_\_

Block \_\_\_\_\_

Lot \_\_\_\_\_

Premises \_\_\_\_\_

Borough \_\_\_\_\_

Dear Sir/Madam:

A search of our records indicates that:

☐ Application # \_\_\_\_\_ of \_\_\_\_\_ was approved on \_\_\_\_\_. Construction work was completed on \_\_\_\_\_. No Certificate of Occupancy was issued. This department considers the use of the premises to be established as \_\_\_\_\_.

☐ No application on file for the above premises. However, in the absence of any evidence to the contrary and based on the documents submitted, the Department of Buildings will not object to the use of the building as \_\_\_\_\_.

☐ No application on file. This department is unable to establish the use of the above premises at this time.

If the building is hereafter altered or its use changes, an application for such alteration work or change of use must be filed and a Certificate of Occupancy shall be issued pursuant to Article 22 of Sub-chapter 1 of the Administrative Code of the City of New York.

Very truly yours,

Borough Commissioner/Superintendent

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BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

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

JOEL A. MIELE, Sr., P.E., COMMISSIONER

**BARRY G. COX**  
Assistant Commissioner  
Borough Operations  
(212) 312-8004

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**OPERATIONS**  
**POLICY AND PROCEDURE NOTICE #5/95**

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TO: Distribution  
FROM: Barry G. Cox  
DATE: 24 March 1995  
RE: Bureau of Electrical Control (B.E.C.) Sign-off for Certificate of Occupancy

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Effective: Immediately.

Purpose: To establish a policy for signing off a job requiring a certificate of occupancy (C of O) where no electrical work was filed.

Specifics: When an application is filed for a C of O and no filing for electrical work is on record with the Bureau of Electrical Control, BEC will notify the Borough office of that fact and, assuming all other requirements for the issuance of a C of O are in place, the C of O shall be issued.

The requirement that a Professional Engineer or Registered Architect submit an affidavit attesting to the fact no electrical work was done is eliminated.

BGC:yaj



**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

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

DIRECTIVE NO. 6 of 1972

TO: Borough Superintendents DATE: July 14, 1972

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

SUBJECT: Buildings Rehabilitated by the Department of Housing  
and Urban Development. (A Federal Agency)

As a result of a meeting held on June 1, 1972, to establish the procedures to be followed in issuing certificates of occupancy or approvals of buildings rehabilitated by the Department of Housing and Urban Development (a Federal agency), the following procedure was developed:-

1. Private dwellings and multiple dwellings for not more than four families are being rehabilitated by HUD. The rehabilitation consists of replacement of plumbing fixtures and plumbing, repairing defective plaster and floors, painting, installation of electrical fixtures, and other incidental work necessary to make the buildings livable. Most of the work will be of a cosmetic nature and there will be no change in the arrangement of rooms, exits or public halls. The buildings will be altered in accordance with the plans on file in the Department of Buildings so that there will be no rearrangement of the parts of the buildings. At present, buildings are being rehabilitated by HUD only in the borough of Brooklyn.
2. New certificates of occupancy will be required for the multiple dwellings, as they will be vacant for more than 60 days. For the one- and two-family dwellings, which will be about 85% of the buildings rehabilitated, new certificates of occupancy will not be required, as there will be no change in the arrangement of the buildings. In order to obtain certificates of occupancy for the multiple dwellings, it was decided that for such buildings, rehabilitated hereafter, an alteration application and a plumbing application will be filed at the borough office for the work to be done. With the alteration application will be filed specifications describing the work which the contractors will do, but plans will not be filed. Restoration will conform to plans on file in the department. The application will be filed by a registered architect or a licensed professional engineer in the employ of HUD. Objections shall be reviewed by the Chief Engineer of Engineering and shall be sent to HUD. Examination of all such applications will be expedited. No fees will be required. Permits will not be required, but all plumbing shall be installed by a licensed plumber. Inspectors of the department will make inspection of the work as it progresses for compliance with the Building Code, and the Multiple Dwelling Law. Upon completion of

**RESCINDED BY BUILDINGS  
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the work, an application will be filed for a certificate of occupancy, which will be processed in the normal manner, except that such application will be given priority. No violation orders will be filed. Where any deviations from the code or from the specifications are found, the Borough Superintendent shall send written notice to HUD.

3. Examiners shall note on the approved applications that the building is to comply with the existing approved plans in the department. When a certificate of occupancy is issued, it shall be noted that no changes were made in the arrangement of rooms, exits, or public halls.
4. For the one- and two-family dwellings. New certificates of occupancy will not be required, as there will be no change in the occupancy or arrangement of the buildings but certificates of occupancy may be requested. It will be required that an application be filed by a licensed plumber for the plumbing work to be done and that an alteration application be filed by a registered architect or a licensed professional engineer, with a copy of the specifications describing the work to be done. Plans shall not be required.
5. While no permits will be required for any of the rehabilitated buildings, HUD will notify the department of the names and addresses of the contractors who will do the work, for each building.
6. For those buildings presently undergoing rehabilitation, or complete it will be required that for multiple dwellings, a statement of a registered architect or a licensed professional engineer be filed stating that the work was performed in accordance with the requirements of the Building Code and the Multiple Dwelling Law and that no change was made in the arrangement of rooms, exits, public halls, or occupancy, before a certificate of occupancy is issued. In addition it will be required that a certificate of occupancy application be filed and that inspection of the building be made to ascertain compliance with applicable laws insofar as possible in the finished building. No application or specifications otherwise shall be required. A note shall be placed on the certificate of occupancy that conformance with code requirements has been certified by a registered architect or licensed professional engineer.
7. The same procedure shall be followed for private dwellings where a certificate of occupancy is requested by HUD, except that the Multiple Dwelling Law shall not be applicable.
8. Where records of the Building Department are not available, records of the Department of Rent & Housing Maintenance may be used for referral. Where no plans or other records are available in either department it shall be assumed that the arrangement of rooms, stairs and public halls has not been changed. Where rooms do not have legal ventilation this shall be reported.


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9. Where unsafe building orders or violations are pending for a building, HUD will request dismissal after compliance has been provided, with the statement that all work necessary to provide compliance has been completed. Upon receipt of such request, reinspection shall be made promptly, and where there has been compliance, the unsafe building order and violation orders shall be dismissed without requiring that the building be occupied before dismissal.
10. Notices of objections and other correspondence with HUD shall be sent to

Mr. Walter Haner, Realty Officer  
Department of Housing & Urban Development  
175 Fulton Street  
Hempstead, N.Y. 11550

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

TVB/sl

cc: Exec. staff  
Walter Haner

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

C O P Y

City of New York  
DEPARTMENT OF BUILDINGS

Certificates of Occupancy

DIRECTIVE NO. 2-1968

TO: Borough Superintendents  
  
FROM: Julius W. Schneider  
Director of Operations

DATE: February 14, 1968  
  
SUBJ: Posting of Certificates  
of Occupancy

Effective at once the following note shall be imprinted on each certificate of occupancy at time of issuance:

THIS CERTIFICATE OF OCCUPANCY MUST BE POSTED  
WITHIN THE BUILDING IN ACCORDANCE WITH THE RULES  
OF THE DEPARTMENT PROMULGATED MARCH 31ST, 1967

This shall not apply to certificates of occupancy for one and two family dwellings.

The note shall be imprinted in the position at the bottom of the form as shown in the copy of the certificate of occupancy attached.

A copy of the Rules Relating to Posting of Certificates of Occupancy dated March 31, 1967 accompany each certificate of occupancy.

Two rubber stamps and a supply of copies of the rules are transmitted herewith.

JWS:SF  
Encl:

(signed)  
Julius W. Schneider  
Director of Operations

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

C O P Y

ENCLOSURE II

Vincent J. Gioney,  
Deputy Commissioner  
Department of Highways  
Staten Island, New York

ADDRESS: \_\_\_\_\_

NB: \_\_\_\_\_ / \_\_\_\_\_

ALT: \_\_\_\_\_ / \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT \_\_\_\_\_

Dear Sir:

The referenced building was completed on \_\_\_\_\_ 19\_\_\_\_

This Department considers that date as the effective date of application for a Certificate of Occupancy.

Therefore, we respectfully request that you indicate to us whether or not the street giving access has been constructed at a satisfactory grade and in conformance with minimum conditions as were required for compliance on such date.

Very truly yours,

JOHN J. WALSH  
Boro Superintendent

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

C O P Y

ENCLOSURE I

November 27, 1967

John J. Walsh  
Boro Superintendent-Richmond  
Department of Buildings  
Staten Island, New York

ADDRESS: \_\_\_\_\_

NB: \_\_\_\_\_ / \_\_\_\_\_

ALT: \_\_\_\_\_ / \_\_\_\_\_

BLOCK: \_\_\_\_\_ LOT \_\_\_\_\_

EFFECTIVE DATE OF  
CERTIFICATE OF OCCUPANCY  
APPLICATION: \_\_\_\_\_

Dear Sir:

In reference to your letter dated \_\_\_\_\_ pertaining to the above referenced location, please be advised that, inasmuch as the applicant sought approval for his sidewalk, curb and pavement requirements prior to March 2, 1964, the present Highways Department rules and regulations regarding Builders' Pavements in connection with Certificates of Occupancy issuance, which were promulgated on March 2, 1964, would not apply.

Pursuant to an inspection showing that emergency vehicular access is available to this address, this Department has no objection to the issuance of a Certificate of Occupancy.

Very truly yours,

Vincent J. Gibney  
Deputy Commissioner

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

THE CITY OF NEW YORK  
**DEPARTMENT OF BUILDINGS**  
DIRECTIVE NO. 4 of 1979

DEPARTMENTAL MEMORANDUM

DATE: May 22, 1979

TO: Borough Superintendents

FROM: Irwin Fruchtman, P. E.  
Commissioner

SUBJECT: PROCEDURE TO REDUCE BACKLOG OF COMPLAINTS,  
VIOLATIONS AND CERTIFICATE OF OCCUPANCY APPLICATIONS

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2. VIOLATIONS. All violations which are more than five (5) years old are to be reviewed, and the following steps taken:

a. Minor violations are to be administratively cancelled without inspection. Examples of minor violations are as follows:

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- (7) Expiration of permit insurance for completed applications.

b. When the violation is to be administratively cancelled, the violation file, violation docket and index cards shall be so noted and a copy of the cancelled violation placed in the Block and Lot folder. Where the violation has been processed to court, a cancellation notification letter (B Form 37A) a copy of which is attached, shall be sent out with a copy retained in the violation file. Where the violation involves a public agency and therefore was not processed to court, a covering letter, a copy of which is attached (B Form 37B) shall be sent out with a copy retained in the violation file.

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4. Borough Superintendents should utilize plan examination personnel to the maximum extent feasible for items 2 and 3 above, and inspectional personnel for items No. 1 and as required for the other items, without seriously curtailing either routine plan examination or inspections. The Chief Engineer and Chief Construction Inspector shall be designated to supervise the above mentioned procedure.

  
Irwin Fruchtman, P. E.  
Commissioner

IF:WCK:ah

Attachments

cc: Executive Staff  
Professional Societies

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**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

B Form 31A



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

IRWIN FRUCHTMAN, P.E. Commissioner  
248-8811

**BORO OFFICES:**

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NEW GARDENS, N. Y. 11413

**STATEN ISLAND**  
BOROUGH HALL  
ST. GEORGE, N. Y. 10301

Violation No. \_\_\_\_\_

Premises \_\_\_\_\_

Borough of \_\_\_\_\_

Dear Sir:

You are advised that the subject violation, previously reported against the above premises, has been administratively cancelled.

Although there will be no further prosecution of the violation in the criminal courts, you are advised that such deviation from the Administrative Code can possibly be cause for a legal cloud on the premises in any future civil proceeding, and, be a deterrent to issuance of building permits you may seek in the future, and you are urged to voluntarily comply with the cancelled violation at your earliest convenience.

Very truly yours,

\_\_\_\_\_  
Borough Superintendent

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**DEPARTMENT OF BUILDINGS**

**EXECUTIVE OFFICES**

120 WALL STREET, NEW YORK, N.Y. 10005

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248-8811

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Violation No. \_\_\_\_\_

Premises \_\_\_\_\_

Borough of \_\_\_\_\_

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You are urged to voluntarily comply with the cancelled violation at your earliest convenience. This department will no longer monitor the specific situation.

Very truly yours,

\_\_\_\_\_  
Borough Superintendent

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BULLETIN 2023-014**

City of New York  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

DIRECTIVE NO. 11/ 1970

TO: Borough Superintendents

Date: October 1, 1970

BY: Thomas V. Burke  
Director of Operations

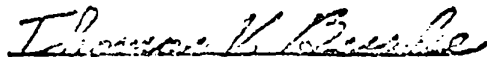
Subject: Modification of Certificate  
of Occupancy by the Board of  
Standards and Appeals pur-  
suant to Fire Department  
Applications.

The Board of Standards and Appeals has approved the request of the Fire Commissioner to modify the certificates of occupancies for various premises. The occupancy of some of the premises involved conforms with the last issued certificate of occupancy, and, in other instances is in violation thereof.

In regard to premises that are illegally occupied, this office has received Opinion No. 107,313 from the Corporation Counsel subsequent to issuance of Directive No. 20/70. The Corporation Counsel has indicated that the decision of the Board modifying the certificate of occupancy so as to require installation of a sprinkler or standpipe system is binding on this department. Accordingly, applications filed for the installation of standpipe systems, sprinkler systems or any other stated work may be approved for those premises illegally occupied. However, a record of the Board's modification is to be entered on the index cards, and no subsequent alteration application or change of use of any kind may be approved unless the Board Calendar No. and an indication that the particular service equipment is required, is entered on all new modification sheets, and on all certificates of occupancy issued thereafter. Until the illegal use is discontinued or legalized, the violation is to be diligently processed and judicial remedies instituted, if appropriate.

With respect to Board decisions modifying the certificate of occupancy for those premises lawfully occupied; so as to require the installation of a standpipe system or sprinkler system or the like, no application for such stated work shall be approved unless a simultaneous alteration application amending the legal use so as to specify the particular required system (standpipe, sprinkler, etc.) is simultaneously filed and approved. Proper plans to enable examination to exits shall be required to be filed with the alteration for the portion of the premises affected by the Board's decision; and, an amended certificate of occupancy will be required, specifying the required service equipment. The Board Calendar No. shall be entered on index cards, and the particular required system shall be noted as a required system on alteration specification sheets together with the Board Calendar No., and on new or amended certificates of occupancy thereafter.

This directive supersedes Directive No. 20/70.

  
Thomas V. Burke  
Director of Operations

TS:IEK:ap

cc: Chairman Galvin, Bd. of Standards & Appeals  
Fire Commissioner Lowery  
Acting Commissioner Ferro  
Executive Staff  
Building Congress  
Architectural & Professional Societies

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

CHARLES M. SMITH, Jr., R.A., Commissioner  
248-8811

April 9, 1984

Honorable Sylvia Deutsch  
Chairperson/Commissioner  
80 Lafayette Street  
New York, NY 10013

Re: Listing of Board of Standards  
and Appeals Variances on  
Certificate of Occupancy

---

Dear Chairperson Deutsch:

I have reviewed your letter of February 22, 1984 concerning the mandate of section 72-22 of the Zoning Resolution that conditions and restrictions applying to the grant of a variance be incorporated in the building permit and Certificate of Occupancy.

I agree that a mere reference to the Board of Standard and Appeals Cal. No. is ineffective, and questionable compliance; and, believe that inclusion of the Board of Standard and Appeals resolution as an additional page has serious shortcomings.

Accordingly, I am directing that our Borough Offices require a synopsis of the conditions of the variance on both the application specification sheet and the Certificate of Occupancy.

I am hopeful that this will ameliorate the problems heretofore existing.

Sincerely

A handwritten signature in cursive script, appearing to read "C. M. Smith, Jr.", written in dark ink.

Charles M. Smith, R.A.  
Commissioner

cc: Irving E. Minkin  
Peter Madonia  
Cornelius F. Dennis  
Joe White  
Lou Munoz  
Irving Polsky  
Borough Superintendents

**1980**

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



BOARD OF STANDARDS AND APPEALS  
80 LAFAYETTE STREET, NEW YORK, N.Y. 10013  
Telephone: 566-5557/8

324 \*APR. 25.84

SYLVIA DEUTSCH  
Chairperson/Commissioner  
VITO J. FOSSELLA, P.E., M.C.E.  
Vice-Chairman/Commissioner

HARRY M. CARROLL, P.E.  
STANLEY M. WOLF, R.A.  
MIRIAM L. BOCKMAN  
RAYMOND J. IRRERA, R.A.  
Commissioners

April 23, 1984

Commissioner Charles Smith  
Department of Buildings  
120 Wall Street  
New York, NY 10005

Re: Listings of BSA Variances on  
Certificate of Occupancy

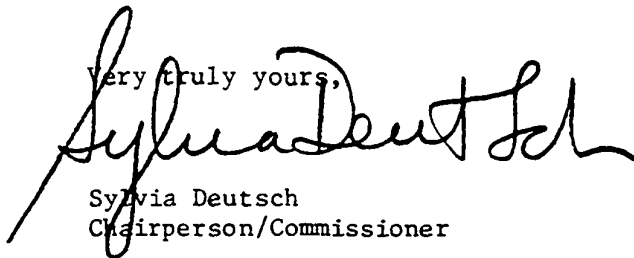
Dear Commissioner Smith:

This will acknowledge receipt of your letters of April 9th and April 13, 1984 which respond to our request to comply with the mandate of Section 72.22 of the Zoning Resolution.

While gratified that the Department of Buildings is responding so swiftly, we feel constrained to inject one small note of concern. Your personnel should be aware that the "synopsis" submitted by the applicant must be accurate, and must not omit, by inadvertance or otherwise, a material condition. Hence, in all cases, the judgement of the applicant must be confirmed by the Department of Buildings.

Thank you for your cooperation in this matter.

Very truly yours,



Sylvia Deutsch  
Chairperson/Commissioner

SD/dw

1981

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
120 WALL STREET, NEW YORK, N.Y. 10005

IRWIN FRUCHTMAN, P.E. Commissioner  
248-8811

May 25, 1979

Dave Birnbaum, Esq.  
P.O. Box 156  
149-40 14th Avenue  
Whitestone, N.Y. 11357

Re: 12-55 Clintonville Street  
Whitestone, N. Y. 11357  
Block #4530 Lot#15  
Section #23

Dear Mr. Birnbaum:

Your letter of May 10, 1979 addressed to  
Commissioner Irwin Fruchtmann, P.E. has been referred  
to me.

This is to advise you that for all plans and  
uses approved prior to January 1, 1938, the Department  
of Buildings did not and does not require a Certificate  
of Occupancy.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Cornelius F. Dennis, P.E.".

Cornelius F. Dennis, P.E.  
Assistant Commissioner-Operations

CFD:KT:rmr

cc: Commissioner I. Fruchtmann  
Deputy Comm. I.E. Minkin  
Deputy Comm. B.F. Parascandola  
Borough Superintendents  
Mr. Ken Thomas, Correspondence Assistant

1616

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

THE CITY OF NEW YORK

**HOUSING AND DEVELOPMENT ADMINISTRATION**

DEPARTMENT OF BUILDINGS

DIRECTIVE NO. 2 OF 1977

DEPARTMENTAL MEMORANDUM

DATE: April 7, 1977

TO: Borough Superintendents

FROM: Director of Operations Irving E. Minkin

SUBJECT: Final Cost Affidavit by Owner Prior to the Issuance of a  
Final Certificate of Occupancy or the Issuance of a Letter  
of Completion - Alteration Applications

- Supplements 1. Manual for Processing Certificate of Occupancy  
Applications dated July 15, 1974. (Vol. 5 - Page 903)
2. Manual of Building Application Fees - January 1975.  
(Vol. 6 - Page 988)

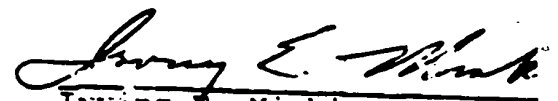
Commencing immediately, a final cost affidavit, completed by the owner, shall be filed just prior to the issuance of a final certificate of occupancy or a letter of completion. The final cost affidavit shall be required for all Alteration Applications whose fee for the approval of plans and work permits is computed and based upon the cost of the alteration or the proposed work.

Where the final owners cost affidavit is for the same amount as that which the total permit fee was based, the certificate of occupancy clerk may accept the final owners cost affidavit, attaching and indexing it to the original application.

Where the final owners cost affidavit is for an amount different than that which the total permit was based, the fee estimator or plan examiner to whom the application was assigned shall recalculate the permit fee after attaching and indexing the affidavit to the original application. If an additional fee is required, the fee estimator or the plan examiner shall note same on the Specification Sheet whereon the permit fee was calculated. The cashier shall "ring up" the additional fee on the same sheet. Where the recalculated fee is less than the permit fee originally paid, the applicant should be informed how to obtain a refund under the provisions of Section C26-32.0(8) Administrative Code.

The final certificate of occupancy or the letter of completion may be issued after the additional fee, if required, is paid.

An "Owner Cost Affidavit" B Form 14C(Rev. 3/77) applicable for the issuance of work permit and for the issuance of a final certificate of occupancy or letter of completion is attached.

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

IEM/WCK/VLD  
cc: Exec. Staff

1261

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, NY 10013

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

Issuance # 118

**GEORGE E. BERGER, P.E.**  
Assistant Commissioner  
Building Construction

---

**TECHNICAL  
POLICY AND PROCEDURE NOTICE NO. 12/88**

---

**TO:** BOROUGH SUPERINTENDENTS

**FROM:** George E. Berger, P.E.  
Assistant Commissioner *GEB*

**DATE:** July 12, 1988

**SUBJECT:** TEMPORARY CERTIFICATES OF OCCUPANCY FOR "CORE"  
ONLY IN HI-RISE CLASS "E" BUILDINGS.

---

**NOTE:** This memorandum supplements Item 2 of Memorandum of  
September 4, 1986.

Temporary Certificate of Occupancy for "Core only" with occupancy of zero, may be issued for new non-residence buildings provided the Core area is sprinklered. This is in addition to the requirements of Item 2(b) of Memo of September 4, 1986 where either sprinkler loop around the Core or a one hour-rated enclosure between Core area and the open floor with one sprinkler head on the unoccupied side of the enclosure is required.

GEB:NTP:rtmr

cc: Attached Distribution List



**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

EXECUTIVE OFFICES  
60 HUDSON STREET, NEW YORK, NY 10013

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

Issuance # 82

GEORGE E. BERGER, P.E.  
Assistant Commissioner  
Building Construction

TECHNICAL  
POLICY AND PROCEDURE NOTICE # 1/88

TO: BOROUGH SUPERINTENDENTS

FROM: GEORGE E. BERGER, P.E. *HeB*  
Assistant Commissioner

SUBJECT: TEMPORARY CERTIFICATES OF OCCUPANCY FOR NEW BUILDINGS:  
TAP LETTERS AND WATER METER PERMITS

DATE: JANUARY 25, 1988

-----

Prior to the occupancy of any building, the Department of Buildings must secure proof that the water connection to the city water main or private main is legal and properly metered.

Henceforth, no Temporary Certificate of Occupancy shall be issued prior to submission of the following items:

1) A copy of the tap letter for the individual new building identified by lot number and address from the Department of Environmental Protection, stating that the street main has been tapped.

2) A copy of the Department of Environmental Protection permit to install the water meter.

The licensed plumber responsible for each application shall submit the above documents.

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



ISSUANCE # 404

**DEPARTMENT OF BUILDINGS**

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

RUDOLPH J. RINALDI, Commissioner

**TECHNICAL  
POLICY & PROCEDURE NOTICE # 3 /93**

**TO:** BOROUGH COMMISSIONERS/SUPERINTENDENTS

**FROM:** Richard C. Visconti, A.I.A.  
Acting Deputy Commissioner

A handwritten signature in dark ink, appearing to read "Richard C. Visconti".

**DATE:** May 18, 1993

**SUBJECT:** Guide to A Description of Uses on Schedule A &  
Certificate of Occupancy of One & Two Family  
Buildings

-----

**EFFECTIVE:** All new applications filed after the  
effective date of this Technical Policy &  
Procedure Notice.

**PURPOSE:** To establish a uniform description of use on  
Schedule A filed with Alteration Type 1 or  
N.B application and the Certificate of  
Occupancy of buildings used as single or two  
family residence. Provide for the  
standardization of the location of text  
relative to data entry.

**SPECIFICS:** The following is a "Schedule A" sample to be  
used as a guideline of how the description of  
uses of each floor should be completed in  
addition to all required information  
regarding the number of dwelling units, the  
number of habitable rooms, zoning use group,  
Building Code occupancy groups and live load.

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

| Floor  | Proposed Use              |                 |                      |                               |                         |                     | Description       |
|--|---------------------------|-----------------|----------------------|-------------------------------|-------------------------|---------------------|-------------------|
|  | Maximum Number of Persons | Live Load (psf) | Code Habitable Rooms | Building Code Occupancy Group | Dwelling/ Rooming Units | Zoning Use Group(s) |                   |
| Cellar   | -                         | O.G.            |                      |                               |                         |                     | Accessory Uses    |
| First  |                           | 40              | 3                    | J-3                           | 1                       | 2                   | One dwelling unit |
| Second   |                           | 40              | 2                    | J-3                           | $\frac{1}{2}$           |                     | One dwelling unit |
| Third  |                           | 40              | 2                    |                               | $\frac{1}{2}$           |                     | -                 |
| <b>GENERAL NOTES:</b>                                    |                           |                 |                      |                               |                         |                     |                   |
| Two family residence with (2) off-street parking spaces. |                           |                 |                      |                               |                         |                     |                   |

Cellar Level shall be described in general as "Accessory Uses" except any other use that is not commonly found in a cellar level shall be specifically listed.

Basement: In the case that the basement is the lowest story, it should be listed as "Accessory Uses" unless it contains habitable rooms or any other use that is not commonly found in a basement level.

"Accessory Uses": as indicated above shall include rooms used for boiler, meter, storage, laundry, toilet, recreation or any other use that is commonly found in the cellar or basement levels of a one or two family residence.

General Notes: shall indicate type of residence, number of accessory off-street parking spaces, and/or attached or detached garages.

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

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

RUDOLPH J. RINALDI, Commissioner

BARRY G. COX  
Assistant Commissioner  
Borough Operations  
(212) 312-8004

---

**OPERATIONS  
POLICY AND PROCEDURE NOTICE # 6/93**

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To: Distribution  
From: Barry G. Cox  
Date: 2 April 1993  
Subject: Temporary, Amended and Final Certificates of Occupancy

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**Purpose:**

To formalize the Department's existing policy with respect to issuing Temporary, Amended, or Final Certificates of Occupancy for New or Existing Buildings.

**Superseded:**

PPN 16/92 (New items in bold)

**Effective:**

Immediately

**Reference:**

Sections 26-222, 27-218, and 27-222 of the Administrative Code.

Section 645 of the City Charter

**Specifics:**

No Temporary, Amended or Final Certificate of Occupancy (CO) shall be issued for a building with outstanding Local Law 5/73, 10/80, 10/81, 16/84, 33/91 (sidewalk shed legislation) or 62/91 (boiler professional certification legislation) violations.

At the Borough Commissioner's discretion, a Temporary CO may be issued for a new or altered building, or portion of a new or altered building, with outstanding non-hazardous violations as long as those violations are not written for conditions existing on the floor(s) or space(s) which will receive the TCO.

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

- 2 -

At the Borough Commissioner's discretion, an Amended CO may be issued for a building with outstanding non-hazardous violations as long as those violations are not written for conditions existing on the floor(s) or space(s) being altered.

No Demolition Permit shall be issued for any building with outstanding Local Law 10/80, 10/81 33/91, or 62/91 violations.

The clerk issuing the Temporary, Amended or Final Certificate of Occupancy or demolition permit shall verify on the BIS system that no DOB violations with the following codes in the body of the violation exist:

|        |                   |
|--------|-------------------|
| LL5    | - Local Law 5/73  |
| LL1080 | - Local Law 10/80 |
| LL1081 | - Local Law 10/81 |
| LL16   | - Local Law 16/84 |
| LL6291 | - Local Law 62/91 |

To identify the sidewalk shed violations the clerk must verify the open ECB violations listed for the premises. The violation description will indicate that it is for a sidewalk shed with an expired permit.

BGC:mh

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



**DEPARTMENT OF BUILDINGS**

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

RUDOLPH J. RINALDI, COMMISSIONER

CAROLE S. SLATER  
General Counsel & Director  
Office of Legal Affairs  
(212) 312-8130

ISSUANCE #386

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**LEGAL  
POLICY AND PROCEDURE NOTICE # 4/92**

---

**TO: DISTRIBUTION**

**FROM: CAROLE S. SLATER** *MS*  
General Counsel and Director  
Office of Legal Affairs

**RE: DOB Variance of MDL §277 Requirements**  
Legalization of Residential Lofts  
Multiple Dwelling Law Amendments of 1992

**DATE: December 3, 1992**

---

This PPN amends Legal PPN #3/92 dated October 13, 1992.

**PURPOSE:** To inform interested parties of the recent amendment to §277 of the Multiple Dwelling Law ("MDL"). Said amendment authorizes the Commissioner of Buildings to vary the requirements of MDL §277.

**EFFECTIVE DATE:** Immediately

**SPECIFICS:** In 1992, the New York State Legislature amended Multiple Dwelling Law §277 by adding a new subdivision 16, which allows the Commissioner to vary the requirements and standards found in MDL §277 pursuant to New York City Charter §645(b)(2). Coverage of a building under MDL Article 7-C may be considered in determining an application for a variance based on hardship pursuant to MDL §277(16).

The Board of Standards and Appeals' jurisdiction is unaffected and applicants can continue to apply for a variance from the MDL §277 requirements pursuant to New York City Charter §666(8).

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**



DEPARTMENT OF BUILDINGS

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

RUDOLPH J. RINALDI, COMMISSIONER

CAROLE S. SLATER  
General Counsel & Director  
Office of Legal Affairs  
(212) 312-8130

ISSUANCE # 374

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LEGAL  
POLICY AND PROCEDURE NOTICE # 3/92

---

TO: DISTRIBUTION

FROM:--- CAROLE S. SLATER *CS*  
General Counsel and Director  
Office of Legal Affairs

RE: DOB Variance of MDL §277 Requirements  
Legalization of Residential Lofts  
Multiple Dwelling Law Amendments of 1992

DATE: October 13, 1992

---

This PPN supplements Legal PPN # 2/92 dated June 29, 1992.

PURPOSE: To inform interested parties of the recent amendment to §277 of the Multiple Dwelling Law ("MDL") Article 7C with regard to the legalization of residential lofts covered as interim multiple dwellings ("IMDs"). Said amendment authorizes the Commissioner of Buildings to vary the requirements of MDL §277.

EFFECTIVE DATE: Immediately

SPECIFICS: — In 1992, the New York State Legislature amended Multiple Dwelling Law §277 by adding a new subdivision 16, which allows the Commissioner to vary the requirements and standards found in MDL §277 pursuant to New York City Charter §645(b)(2). The Board of Standards and Appeals' jurisdiction is unaffected and applicants can continue to apply for a variance from the MDL §277 requirements pursuant to New York City Charter §666(8).

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

The borough offices, therefore will no longer be responsible for preparing docket sheets, court calendars or maintaining tickler/tracking systems for the summonses etc.

**Office of the Borough Commissioner:**

The Borough Commissioner shall make certain that the log book is being maintained.

JMc:mh





Issuance # 474

**RESCINDED BY BUILDINGS  
BULLETIN 2023-014**

**DEPARTMENT OF BUILDINGS**

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

**JOEL A. MIELE, Sr., P.E., COMMISSIONER**

**BARRY G. COX  
Assistant Commissioner  
Borough Operations  
(212) 312-8004**

---

**OPERATIONS  
POLICY AND PROCEDURE NOTICES # 4/95**

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TO: Distribution  
FROM: Barry G. Cox  
DATE: March 30, 1995

SUBJECT: Professional Certification of Final Surveys

---

Effective: Immediately.

Purpose: To authorize a Professional Engineer (P.E.) or Registered Architect (R.A.) to professionally certify a final survey.

Specifics: Any application permitted by this agency which requires a final survey before sign-off and/or certificate of occupancy may be professionally certified.

The applicant of record may submit a licensed land surveyor's final survey with the following statement affixed to the face of the survey.

"This is to certify that I have exercised a professional standard of care in certifying that this survey is complete and in accordance with applicable laws and that the information shown thereon substantially agrees with the approved plans and applications."

The PE/RA's seal and signature shall follow that statement.

BGC:yaj

**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

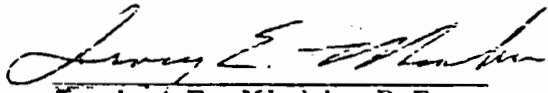
SUBJECT: Issuance of Certificates of Occupancy for New Buildings -  
Amendment to Directive #33 of 1970, - Fire Safety Plan

---

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

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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: March 9, 1977**

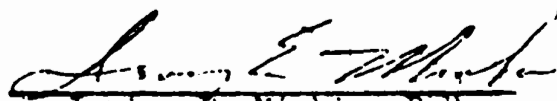
**TO: Borough Superintendents**  
**FROM: Irving E. Minkin, P.E., Director of Operations**  
**SUBJECT: HIGHWAY CERTIFICATION BY HOUSING AUTHORITY FOR**  
**CERTIFICATE OF OCCUPANCY**

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 Recd*

*7/21/71*

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

-600-

**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

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

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

PREMISES: \_\_\_\_\_  
BOROUGH OF \_\_\_\_\_

*Manhattan*  
MUNICIPAL BUILDING  
NEW YORK, N. Y. 10007  
*The Bronx*  
1932 ARTHUR AVENUE  
BRONX, N. Y. 10451  
*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

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:

- |   |   |
|---|---|
| <input type="checkbox"/> Conflicting Affidavit of Supervision   | <input type="checkbox"/> Survey Required                          |
| <input type="checkbox"/> Dep't. of Water Resources Sewer Report Req'd.  | <input type="checkbox"/> Mechanical Vent. Report/Plans Required   |
| <input type="checkbox"/> Steel Stress Affidavit Required  | <input type="checkbox"/> Public Assembly Application Not Approved |
| <input type="checkbox"/> Fire Dept. Oil Burner Permit Required  | <input type="checkbox"/> Owner's M.D. Registration Required       |
| <input type="checkbox"/> Fire Dept. Certification Pending   | <input type="checkbox"/> Highway Certification Letter Required    |
| <input type="checkbox"/> Sprinkler Application Pending  | <input type="checkbox"/> Amendment Pending                        |
| <input type="checkbox"/> Standpipe Application Pending  | <input type="checkbox"/> Violation Pending                        |
| <input type="checkbox"/> Property Description Not Clear   | <input type="checkbox"/> Tax Department Certification Required    |
| <input type="checkbox"/> Approved Use Disagrees With C.O. Application   | <input type="checkbox"/> Curb Cut Permit Required                 |
| <input type="checkbox"/> Completion Date is Beyond Date Specified by Variance (BSA) (CPC)   | <input type="checkbox"/> Health Department Report Required        |
| <input type="checkbox"/> Forms 10A, 10B, 10C, 10D Required  | <input type="checkbox"/> Equipment Use Permit Req'd. Or Pending   |
| <input type="checkbox"/> Form 10E Required for _____  | <input type="checkbox"/> Air Conditioning System                  |
| <input type="checkbox"/> Form 10F Required For _____  | <input type="checkbox"/> Refrigeration System                     |
| <input type="checkbox"/> 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 <u>Newly Dated</u> application when building is completed sufficiently to permit issuance of a Certificate of Occupancy. | <input type="checkbox"/> Ventilation System                       |
|   | <input type="checkbox"/> Heating System                           |
|   | <input type="checkbox"/> Other _____                              |

Very truly yours,

Borough Superintendent  
Department of Buildings

-60/-

**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

---

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

---

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:

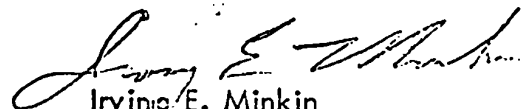
"The owner or other person having charge of a hereafter erected building in occupancy Group E as classified in the Building Code and designed to be occupied by more than 500 people or by more than 100 people above or below street level shall submit their Fire Safety Plan to the Fire Department prior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

---

IEM:JWS:ASR

cc: Executive Staff  
Industry

  
Irving E. Minkin  
Deputy Director of Operations

-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

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: February 8, 1978

TO: Borough Superintendents

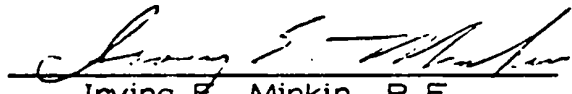
FROM: Director of Operations Irving E. Minkin, P.E.

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

-----

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

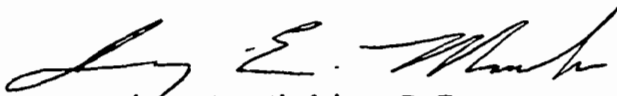
TO: Borough Superintendents

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

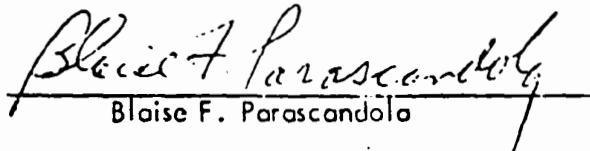
TO: ALL BOROUGH SUPERINTENDENTS

FROM: Blaise F. Parascandola, Assistant Commissioner

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

This memorandum re: 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/nib

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/nb

cc: Comm. Walsh

Deputy Comm. Jenkins

L. Dworkin

I. Minkin ✓

L. Beck

P. Goldstein

Chief Irish, Fire Dept.

*R.E. Smith, L. Whitman*

1308



**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

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

DEPARTMENTAL MEMORANDUM

DATE: July 6,

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

-2-

- 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

*For L. Hall*

TVB/LR/sc

cc: Staff

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

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

DEPARTMENTAL MEMORANDUM

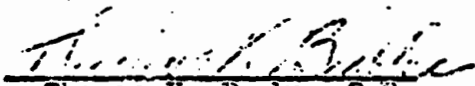
DATE: May 21, 1975

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

---

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.

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

TVB/PEO/sl

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

*Handwritten initials*

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

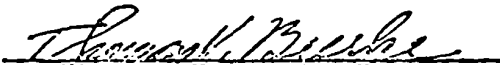
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Add requirement #11 to category

"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  
FROM: Thomas V. Burke, Director of Construction

DATE: February 7, 1968  
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  
BULLETIN 2023-015**

C O P Y

- 2 -

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:dr



**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

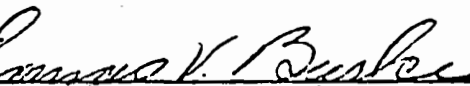
FROM: Thomas V. Burke, Director of Operations

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

-589-



**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

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

**DEPARTMENTAL MEMORANDUM**

**DATE: July 25, 1979**

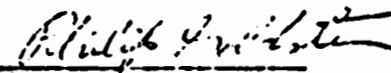
**TO: All Construction Inspectors, Staten Island**  
**FROM: Philip Goldstein, PE, Borough Supt.**  
**SUBJECT: Certificate of Occupancy Inspection-  
Residential Developments.**

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

  
Philip Goldstein, PE  
Borough Supt. Staten Island

cc: Dept. Boro Supt. Sobel  
Ch. Arc. Trivisonno  
Ch. Const. Insp. Krishok  
Comm. Fruchtmann  
Dept. Comm. Hinkin  
Asst. Comm. Operations Dennis  
Insp. Gen. Klein  
NYC Asgn. Home Builders

1624

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 BOUND OF EDUCATION FORMER 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**  
**Bd of Ed.**  
**Jos. B. Klein, Esq. & Ap.**

**1059**

**RESCINDED BY BUILDINGS  
BULLETIN 2023-015**

THE CITY OF NEW YORK  
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: August 13, 1979

TO: Borough Superintendents

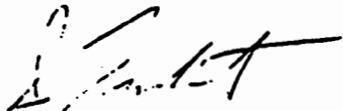
FROM: Commissioner Irwin Fruchtman, P.E.

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



**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

**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. *F. Pocci*

**DATE:** April 11, 1989

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

-----

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

-----  
**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 \_\_\_\_\_  
Location \_\_\_\_\_  
CO Application/Job # \_\_\_\_\_  
Date Inspection Requested \_\_\_\_\_

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

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

| OBJECTION CODES: N - New Objection R - Objection Removed O - Outstanding Objection |            |        | INSPECTION 1 | INSPECTION 2 | INSPECTION 3 |
|--|------------|--------|--------------|--------------|--------------|
| ENTER 'R'<br>WHEN<br>OBJECTION<br>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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BULLETIN 2023-015 2023

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BULLETIN 2023-015**

**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.



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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

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.

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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