

**NOTICE TO APPLICANTS
RE: ARTIST CERTIFICATION**

The following information may be of help to you in understanding the procedures to be followed in obtaining Artist Certification and in preparing your application.

Under applicable state legislation and the Zoning Resolution of the City of New York (the "City"), certification as a working artist is necessary in order for an individual to qualify for joint living-working space in the M1-MA and M1-MB zoning districts (SoHo NoHo). Under Sections 276 of Article 7-B of the Multiple Dwelling Law, an "artist" is defined--for the purpose of qualifying for joint living-working quarters in cities with populations of over one million--as "a person who is regularly engaged in the fine arts, such as painting and sculpture, or in the performing or creative arts, including choreography and filmmaking, or in the composition of music, on a professional basis and is so certified by the city Department of Cultural Affairs and/or state Council on the Arts."

Pursuant to the City's Zoning Resolution, the Department of Cultural Affairs (the "Department") has been designated as the certifying agency for purposes of the foregoing statute. The procedure followed by the Department in determining applications for Artist Certification is as follows: Applications for certification by the Department are reviewed by an advisory committee of professional artists, art educators, and administrators representing a variety of fine arts disciplines, who then make a recommendation to the Commissioner of Cultural Affairs. Based on Section 276 of Article 7-B of the Multiple Dwelling Law and the Rules of the City of New York, each applicant must demonstrate that he or she meets the following criteria to be granted certification:

1. *Regularly engaged.* The individual is currently engaged in and demonstrates a serious, consistent commitment to his or her art form or art occupation;
2. *Fine arts.* The individual is engaged in an art form or art occupation that can be considered and is pursued by the individual as a "fine art", evidenced by a substantial element of independent aesthetic judgment and self-directed work. The production of work solely on a commercial, industrial or work-for-hire basis without evidence of the foregoing elements is not sufficient to demonstrate pursuit as a "fine art";
3. *Professional basis.* The individual is committed to the art form or art occupation as his/her primary vocation and others in the field recognize the individual as a professional with regard to the art form or occupation; and
4. *Intent to use joint living-work quarters.* The individual demonstrates the intent to use joint living-work quarters for the purpose of carrying out his/her art form or occupation.

It should be noted that the word "professional" refers to the nature of the commitment of the artist to his or her art form as his or her primary vocation rather than the amount of financial remuneration earned from his or her creative endeavor.

ANSWERS TO COMMONLY ASKED QUESTIONS ABOUT ARTIST CERTIFICATION

What is Artist Certification?

The SoHo Zoning Resolution permits fine artists working on a professional level who demonstrate a need for a live/work loft to reside in specific lofts zoned for manufacturing. Artist Certification provides the document that equates the person named therein with a permitted manufacturer.

Who is eligible for Artist Certification?

Any person who is regularly engaged in the fine arts, such as painting and sculpture, or in the performing or creative arts, including choreography and filmmaking, or in the composition of music, evidenced by a substantial element of independent aesthetic judgment and self-directed work, on a professional basis is eligible for certification. Students and others who do not yet have a professional body of work covering five years prior to their application are generally ineligible. Commercial artists, hobbyists, and others for whom fine arts are not a primary vocation are generally ineligible.

Do I have to make my living as an artist?

The Department recognizes that the majority of artists do not earn their living through sales of their artwork. "Professional" refers to the nature of the artist's commitment to his or her vocation.

Isn't Artist Certification a pro-forma process?

Artist Certification exists to protect the artist community. The Artist Certification Committee, who is arts professionals representing a variety of fine arts disciplines, carefully considers applications.

Can I move in and then apply for Artist Certification?

Any person who rents, subleases, or purchases a loft in SoHo, NoHo, and/or AIR space elsewhere should be certified by the Department of Cultural Affairs PRIOR TO OCCUPANCY. The Department of Cultural Affairs cannot be responsible for any costs incurred if an applicant moves in before certification is granted.

How often does the Artist Certification Committee meet?

The Committee meets once each month from September through June. Over the summer months, emergency requests may occasionally be considered.

Is there a fee for Artist Certification?

There is no fee for Artist Certification.

Can an outside agent present my application?

The Department prefers to be in contact solely with the applicant.

Will the Department return my support material?

The Department returns support material provided the application includes a self-addressed return mailer with correct postage.

APPLICATION FOR ARTIST CERTIFICATION

NAME _____ HOME PHONE (____) _____

ADDRESS _____ APT./FL. _____ ZIP _____

ADDRESS ON CERTIFICATE _____

BUS. PHONE (____) _____

PROFESSIONAL NAME (if different) _____

FINE ARTSDISCIPLINE _____

1. Do you now reside in a (check one) Loft? _____ Apartment with Workspace? _____ Apartment with separate Workspace? _____ Other (please specify) _____
2. What is your present amount of LIVING space in sq. ft.? _____. What is your present amount of WORK space in sq. ft.? _____.
3. Are you planning to move into a Loft? _____ If located, what is the address? _____
What is the total sq. ft. of the Loft? _____
How much WORK space will you need in sq. ft. of the Loft? _____
4. Have you been certified before? _____ If YES, at what date and for what address?
DATE: _____ ADDRESS: _____

ON A SEPARATE SHEET, PLEASE PROVIDE THE FOLLOWING INFORMATION:

5. Describe your particular art form and explain why a large space is imperative for its creation.
6. Include a professional fine arts resume pertinent to your work. Include educational background, professional training, public exhibitions and/or performances, critical reviews, grants, awards or fellowships. Be sure to include dates.
7. Submit documentation appropriate to your particular art form. Your documentation should reflect a body of work over the last 5 years, up to and including recent work. Student work, in and of itself, will not meet the criteria for certification. Below is a general guideline for some fine arts fields, and the kinds of support materials that should accompany your application:

- **Visual artists:** 15-20 labeled slides and/or photographs of work, exhibition announcements, catalogues, reviews, etc.
- **Music composition:** scores, tapes (including works-in-progress), reviews, performance announcements, etc.
- **Choreography:** videos, written notations, reviews, performance announcements, etc.
- **Fiction/Poetry:** published and unpublished works and drafts, reviews, announcements of readings/staging, etc.
- **Film/Video/Performance Art:** examples of work, reviews, and announcements

All documentation should include, where appropriate, the date of creation, medium, size, and title of the work. All support materials must be submitted in an envelope or folder not larger than 9" X 12". Do not submit original work. PLEASE INCLUDE A STAMPED, SELF-ADDRESSED ENVELOPE, IF YOU WISH MATERIALS TO BE RETURNED FOLLOWING THE CERTIFICATION COMMITTEE MEETING.

8. If you are already residing in a Loft, include a scale drawing or photographs showing your living and working space. If you are planning to move into a Loft, provide a scale drawing showing your intended living and working space.

9. Submit letters of recommendation on letterhead from two people, known in your field, regarding your professional involvement as an artist and your need for live/workspace.

10. Submit proof of occupancy or intention to occupy an artist Loft (i.e. lease, proposed lease, or deed).

The undersigned hereby certifies that the statements and information set forth above and/or annexed to this application are true to the best of his or her knowledge and that the materials submitted in support of this application represent the applicant's own work. It is understood and agreed to by the undersigned that the Department of Cultural Affairs may rely thereon in determining this application for certification, and that the making of any knowingly false statement or fraudulent submission in connection with this application will result, in either the denial thereof or in the revocation of any Artist Certification based on such application.

Notarized Signature

Date

STATE
ss.: COUNTY OF NEW YORK)

On this day of , 20 , before me personally came , to me known and known to me to be the person described in and which executed the foregoing instrument; and (s)he acknowledged to me that (s)he executed the foregoing instrument; and (s)he acknowledged to me that (s)he executed the same for the purposes therein mentioned

NOTARY PUBLIC