

Office of Enforcement & Neighborhood Services Housing Litigation Division 100 Gold Street New York, N.Y. 10038

Filing Instructions

Application for a Certification of No Harassment ("CONH") Pilot Program

<u>Requirements</u>: Pursuant to Local Law 1 of 2018, a certification of no harassment ("CONH") may be required to obtain a permit from the Department of Buildings ("DOB") for certain types of work if your building appears on the CONH Pilot Program building list. Your building may appear on the list because of:

high levels of physical distress and/or ownership changes and the building is located in certain targeted areas

of the City

a full vacate order issued to the building by HPD or DOB

active participation in the alternative enforcement program for more than four months since February 1, 2016

 a finding of harassment within the last five years by a court or by New York State Homes and Community Renewal

The application process is governed by York City Administrative Code section 27-2093.1, 28-505.3 and Chapter 53 of Title 28 of the Rules of the City of New York. You must use this form to apply for the CONH.

You must submit one (1) application per BIN number. The BIN number is a unique identifying number used by DOB for each building in NYC.

<u>Work:</u> A CONH is not required for all types of work. You should refer directly to the Administrative Code to determine whether a CONH is required. You may also consult with DOB. HPD, at its discretion, may require a copy of the architectural plans.

Who May Apply: The applicant must be an individual natural person and must be either a title holder, a contract vendee in possession, or a net lessee under a lease with at least 10 years remaining in its term, a principal or officer of an owner who is authorized to sign on behalf of and bind such owner. If the applicant does not have legal authority to authorize the Department of Housing Preservation and Development ("HPD") to enter all common areas of the property (for example, if the applicant is a contract vendee or is an owner who has leased the property to someone else), then the application must also be signed by an individual natural person who has such authority. If the applicant is a contract vendee in possession or net lessee, then you must submit an authorization letter executed and notarized from the deed owner(s).

Fee: \$160 per dwelling unit in the building (based on HPD's record of the building configuration). You will have 15 days to pay the application fee (by certified check or money order) once your application is successfully submitted. Checks should be made payable to the "NYC Dept of Finance."

Inquiry Period: As used below, "inquiry period" means:

• 60 months prior to the filing of the application for a certification of no harassment

Required Documents: The following documents are required with your application. Please note that if any of the required documentation is missing or inadequate, HPD may reject the application. Hand deliveries are only accepted Monday through Friday from 9 a.m. to 11 a.m.

- 1. Original certified copies of all recorded deeds from the Department of Finance for current and prior owners who owned the property since the inquiry period start date.
- 2. If the current title to the property is held by an entity, provide the following documentation in support:
 - a. Articles of Organization
 - b. Operating agreement or LLC resolution
 - c. NYS filing receipt for the entity
 - d. Certificate of Good Standing

- e. Original signed Opinion of Counsel Letter. Submit a letter from an attorney stating that:
 - i. Based on the examination of the Company's organizational documents such as (specify which documents were consulted), you represent that the entity (name of entity) is in good standing with the Department of State, New York State.
 - ii. The applicant's relationship (official title) to the Entity.
 - iii.The applicant (name of applicant) is authorized to make all representation before HPD on behalf of the Entity and is authorized to file the Application for Certificate of No Harassment on behalf of the Entity.
 - iv. The applicant (name) is authorized to bind the Entity (name) with regard to the filing of the Application for CONH.
- 3. Copies of any job applications made to DOB.
- 4. Original certified copy of the Certificate of Occupancy, if one exists.
 - a. If no Certificate of Occupancy exists, attach an original certified letter from the DOB stating that the building does not have one.
- 5. Documentation of any net leases for the subject property during the inquiry period.
- 6. Supporting documentation of any criminal convictions and proceedings.
- 7. Building registrations filed with HCR within the inquiry period.
- 8. If the building is owned by more than one deed owner, all the owners need to be named as applicants or an original notarized letter signed by each additional deed owner has to be submitted authorizing the applicant to file the application for certification of no harassment on behalf of that owner. If the application is filed by a net lessee or contract vendee in possession, the deed owner has to provide an executed and notarized letter authorizing the net lessee on contract vendee in possession to file the application for certification of no harassment on behalf of that owner.
- 9. If the applicant is a contract vendee in possession, submit proof of fire insurance.
- 10. Original executed and notarized signature page.

Number of Copies: Submit one original and one copy of this application and all supporting documents.

<u>Submission Requirements:</u> To submit a CONH application for a building in the Pilot Program, you must have a current and valid property registration on file with HPD and pay any outstanding HPD charges that appear on your Statement of Account from the NYC Department of Finance. You can register or confirm registration by using HPD's Property Registration Online System (PROS), calling (212) 863-7000, or sending an e-mail to register@hpd.nyc.gov. You can check your outstanding HPD charges by checking the Department of Finance's website.

<u>Submission of Application, Supporting Documents and Fee</u>: Submit any original documentation or submit the fee by mail (regular, certified, or registered), private courier, or hand delivery to the CONH Unit, Department of Housing Preservation and Development, 100 Gold Street, Room 6Z New York, NY 10038, Attention: Rhonda Waldon. Hand deliveries are only accepted Monday through Friday from 9 a.m. to 11 a.m.

Inquiries: Direct all inquiries regarding this application to: (212) 863-8266.

<u>Obligation to Update</u>: If any information stated in the application changes at any time before HPD makes a final determination regarding whether harassment occurred, the applicant must promptly update the relevant section of the application with such new information and submit it to HPD. If the new information includes a change of ownership, HPD may require a new application.

<u>Withdrawal</u>: An application may not be withdrawn after HPD issues either (i) an initial determination that there is reasonable cause to believe that harassment occurred, or (ii) a final determination that harassment occurred. To withdraw your application, you must submit an original letter, executed and notarized, from the applicant(s).

FORM CONH PILOT 10/2018

Total Dwelling Units

Commercial Units

The City of New York DEPARTMENT OF PRESERVATION AND DEVELOPMENT Housing Litigation Division

Application for a Certification of No Harassment ("CONH") Pilot Program

Obligation to Update: If any information stated in the application changes at any time before HPD makes a final determination regarding whether harassment occurred, the applicant must promptly update the application with such new information and submit it to HPD. If the new information includes a change in ownership or other facts that renders the original applicant ineligible to submit the Application, a new Application, including a new signature page executed by an eligible individual, and all supporting documentation must be submitted to HPD - in such an event, no new processing fee will be collected.

1. Property Info	rmatio	n: Ident	ify the prope	rty that is t	he subject	of this appli	cation.
House No.	Street	Name					Borough Manhattan Queens
Block	Lot		HPD Registration ID BIN				☐ Brooklyn ☐ Staten Island ☐ Bronx
	m DOE	3 stating	that the buil				ificate of occupancy or an original foccupancy. Describe the legal and
Type of Un	nit	Con	Legal figuration per of Units)		enfiguration r of Units)		
Apartment Dw Units	elling						
SRO Dwelling	Units						
Total Dwelling	Units						
Commercial L	Jnits						
A. What is the b	asis o	f the leg	gal configur	ation?			
Certificate of	Occupa	ancy					
Specify							
3. Building Occ	upancy	/: Is the	building cur	rently vaca	nt'? 		
☐ Yes, Date Va	acant (l	MM/YY	(Y)				
☐ No (Describe	the cu	rrent oc	cupancy bel	ow.)			
Type of Ur	nit		ccupied per of Units)	Vaca (Number o	AND A CONTRACT OF THE PARTY OF	Total	
Apartment Dw Units	elling						
SRO Dwelling	Units						

4. Applicant(s): Identify the applicant(s). The applicant must be an individual natural person and must be either a title holder, a contract vendee in possession, a net lessee under a lease with at least 10 years remaining in its term or a principal or officer of an owner who is authorized to sign on behalf of and bind such owner. If the building is owned by more than one deed owner, all the owners need to be named as applicants or a notarized letter signed by each additional deed owner has to be submitted authorizing the applicant to file the application for certificate of no harassment on behalf of that owner. If the application is filed by a net lessee or contract vendee in possession, the deed owner has to provide a notarized letter signed by the deed owner authorizing the net lessee or contract vendee in possession to file the application for certification of no harassment on behalf of that owner. In case of a multiple dwelling owned by an entity, you must provide an Opinion of Counsel Letter pursuant to section 2e of the instructions. Primary Applicant: The primary applicant identified will receive all communications regarding this application. Social Security No. E-mail Address Date of Birth **Last Name** First Name State Zip Suite City Address Relationship to Property Fax Number Business Phone Mobile Phone Secondary Applicant Social Security No. E-mail Address Date of Birth **Last Name** First Name 5. Access Authorizer: Does the applicant identified in response to Question 4 have legal authority to authorize the Department of Housing Preservation and Development ("HPD") to enter all common areas of the property? Yes ☐ No (Identify the person who will sign this application to authorize such access below). Social Security No. E-mail Address Date of Birth **Last Name** First Name State Zip Suite City Address Fax Number **Mobile Phone** Business Phone 6. Reason For Application A. Have any applications for permits been filed with DOB for work at the property which would require a certification of no harassment? Yes (Attach a copy of each application, stamped by DOB, and all attachments thereto). B. Is any construction work currently in progress? No Yes (Provide details below).

C. Briefly desc property).	ribe t	he rea	son for th	is appli	cation (e.g., the alt	eration or de	emolition work to be per	formed at the
						,		
7. Prior Application harassment (of to the property	r an e	ns for exemp	the Prop	erty: Haiver from	as anyone ever su m the requirement	omitted an a for a certific	application for a certifica ation of no harassment)	tion of no to HPD with respect
☐ No ☐ Yes (Pleas	e pro	vide th	e details	request	ed below).			
Application D	Chin	WELLEY.	cant First	10 -45 O	Applicant Last N	lame	Status	
8. Prior Appli any other repr any property of	esent	ative a	acting on	behalf o	f the owner ever p	plicant: Has reviously ap	s the owner, the applica plied for a certification o	nt, or . of no harassment for
☐ No ☐ Yes (Pleas	e pro	vide th	e details	request	ed below).			
Borough		ock	Lot			Address		RegistrationID

9.Current Ownership

A. Current Owner(s): List each current holder of title to the property including individual owners, joint owners and corporate owners.

Name (1)				Date of E	Birth	SSN/EIN		Busine	ss Phone
Address				Suite	City		S	tate	Zip
Name (2)				Date of B	Birth	SSN/EIN		Busine	ss Phone
Address				Suite	City		S	tate	Zip
Name (3)				Date of B	irth	SSN/EIN		Busine	ss Phone
Address				Suite	City		S	tate	Zip
Name (4)				Date of B	Birth	SSN/EIN		Busine	ss Phone
Address				Suite	City		S	tate	Zip
B. Current Principal person, list (i) every of such entity, (iii) evention and the instruction 2 of the instruction 2 of the instruction 2.	director, general perry other person a pere economic intere	artner, n iuthorize	nanagir d to sig	ng partner, o gn for and bi	or man	aging memb ch entity, an	per of suc d (iv) eve	h entity, (i ry person	i) every officer or entity
First Name	Last Name			Date of B	Birth	Social Sec	urity No.	Busines	ss Phone
Address		Suite	City		State	Zip	Role		
First Name	Last Name			Date of B	Birth	Social Sec	curity No.	Busines	ss Phone
Address	1	Suite	City		State	Zip	Role		
First Name	Last Name			Date of B	irth	Social Sec	urity No.	Busines	ss Phone
Address		Suite	City		State	e Zip	Role		

B. Current Principals and Officers Social Security No. Business Phone Date of Birth **Last Name** First Name State Role Suite City Zip Address Social Security No. Business Phone Date of Birth Last Name First Name State Suite City Zip Role Address Social Security No. Business Phone Date of Birth **Last Name** First Name State Suite City Zip Role Address Social Security No. Business Phone Date of Birth Last Name First Name Suite City State Zip Role Address Social Security No. Business Phone Date of Birth **Last Name** First Name State Role Suite City Zip Address Social Security No. Business Phone Date of Birth Last Name First Name Zip Suite City State Role Address Social Security No. Business Phone Date of Birth **Last Name** First Name Suite City State Zip Role Address Social Security No. Business Phone Date of Birth First Name Last Name State Zip__ Role Suite City **Address**

	as a superintende	on who performed g ent, or exercised an						
First Name	Last Name		Col	mpany	Name		Busir	ness Phone
Address			Sui	te	City		State	Zip
Role		Service Start Date	e 	Service	End Date			
First Name	Last Name		Coi	mpany	Name		Busin	ess Phone
Address			Sui	te	City		State	Zip
Role	w w	Service Start Date	9	Service	End Date			
irst Name	Last Name		Cor	npany l	Name		Busin	ess Phone
Address			Sui	te	City		State	Zip
Role		Service Start Date		Service	End Date			
First Name	Last Name		Cor	npany l	Name		Busin	ess Phone
Address			Sui	te	City		State	Zip
Role		Service Start Date	•	Service	End Date]		
First Name	Last Name		Cor	npany I	Name		Busin	ess Phone
Address			Sui	ie	City		State	Zip
Role		Service Start Date) —	Service	End Date			

Name (1)	EI	N (If Entity)	Ownership Start I	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (2)	EI	N (If Entity)	Ownership Start I	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (3)	EI	N (If Entity)	Ownership Start I	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (4)	EI	N (If Entity)	Ownership Start I	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (5)	EI	N (If Entity)	Ownership Start I	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (6)	EI	N (If Entity)	Ownership Start	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip
Name (7)	EI	N (If Entity)	Ownership Start	Date	Owne	rship End Date
Address		Suite	City	St	ate	Zip

10. Prior Ownership

☐ Yes

☐ No

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B. Principals and Officers Of Prior Owners: If title to the property was previously held by an entity rather than an individual natural person at any time since the inquiry period start date, list (i) every director, general partner, managing partner, or managing member of such entity, (ii) every officer of such entity, (iii) every other person authorized to sign for and bind such entity, and (iv) every person or entity holding a 10% or more economic interest in such entity.

First Name	Last Name	Role			Start Date		End Date
Address			Suite	City		State	Zip
First Name	Last Name	Role			Start Date		End Date
Address			Suite	City	J [State	Zip
First Name	Last Name	Role			Start Date		End Date
Address			Suite	City	J. L	State	Zip
First Name	Last Name	Role			Start Date		End Date
Address			Suite	City		State	Zip
First Name	Last Name	Role			Start Date		End Date
Address			Suite	City	J L	State	Zip
First Name	Last Name	Role	A		Start Date		End Date
Address			Suite	City	J L	State	Zip
First Name	Last Name	Role			Start Date		End Date
Address			Suite	City		State	Zip
If needed, pleas	e add additional pages						

Additional pages added?

Yes

☐ No

repairs, served as a superintendent, or exercised any other discretion in the management of the property during the inquiry period under a prior owner. **Business Phone** Company Name **Last Name** First Name State Zip Suite City **Address** Service End Date Service Start Date Role **Business Phone** Company Name Last Name First Name State Zip City Address Suite **Service Start Date** Service End Date Role Business Phone Company Name First Name Last Name State Zip City Suite Address Service End Date **Service Start Date** Role **Business Phone** Company Name **First Name** Last Name State Zip City Suite Address Service End Date Role Service Start Date **Business Phone** Company Name **Last Name** First Name Zip State Suite City Address Service End Date **Service Start Date** Role

C. Prior Management: List each person who performed general management, collected rents, supervised or ordered

11. Occupants:
A. List all current residential occupants of the property.

First Name	Last Name	Unit	Floor	Initial Occupancy Date	Monthly Rent	Rent Stabilized?	Current Lease?	Phone

If needed, please add additional pages. Additional pages added?

☐ Yes

☐ No

В.	List all	current	commercial	occupants	of the	property.

Nam	e	Unit	Floor	A STATE OF THE PARTY OF THE PAR	Occupar Date	псу	Monthly Ren	ACCUMULATION	irrent ase?	Phone
12. Former Occupa	ants: List each f	former o	ccupant	who pe	ermanen	itly va	acated a dwe	lling uni	t or roor	ming unit at the
other means. If such of occupancy rights	n occupant was	relocate	d, pleas	e provid	de a cop	by of	any agreeme	nt with	respect	to the surrende
First Name	Last Name			Unit	Floor	Initi	al Occupanc	y Date		
Move Out Date	Last Monthly	Rent	Move O	ut Reas	son					
Current Address					Suite	City	7	State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupanc	y Date		
Move Out Date	Last Monthly	Rent	Move O	ut Reas	son					
Current Address					Suite	City	ř.	State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupano	y Date		
Move Out Date	Last Monthly	Rent	Move O	ut Reas	son				3	
Current Address					Suite	City		State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupand	y Date		
Move Out Date	Last Monthly	Rent	Move O	ut Reas	son					
Current Address					Suite	City	,	State	Zip	Phone
f needed, please a	dd additional pa	ges. Ad	ditional	pages a	idded?	П	'es [¬ No		Pág

13. Relocation Need work to be performed	eds: Will any occupan ed at the property?	ts be rel	ocated (or displa	iced as a	result of the	alteration or d	emolition
☐ No ☐ Yes (Please pro	vide the details reques	sted belo	ow).					
First Name	Last Name		[Jnit	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name			Jnit	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name			Jnit	Floor	Reason for	Relocation	
Relocation Addres	SS	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name		U	Jnit	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name		U	Jnit	Floor	Reason for	Relocation	
Relocation Addres	SS	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name		l	Jnit	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite	City		State	Zip	Phone	Monthly Rent
First Name	Last Name			Jnit	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite	City		State	Zip	Phone	Monthly Rent
If needed, please ad Additional pages ad	dd additional pages. Ided?							

☐ No

☐ Yes

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been convicted of a crime, ☐ No	or is any such person or entity of the details requested below).	•		
Name	Case Caption	Court	Docket No.	Disposition
			•	
		•	•	•
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
25				
Complainant Attorney	Respondent Attorney	Disposition	Current Status	Disposition Date
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
Complainant Attorney	Respondent Attorney	Disposition	Current Status	Disposition Date
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
Complainant Attorney	Respondent Attorney	Disposition/	Current Status	S Disposition Date
	Proceedings: During the inquiry before any governmental or qua		•	, ,
No Yes (Please provide the	details requested below)			
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
Complainant Attorney	Respondent Attorney	Disposition	Current Status	Disposition Date
f needed, please add addit	l	dded?		

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☐ No

☐ Yes

17. Litigation: During the inq	uiry period, has there been	any litigation with	h respect to the	e property?	
No					
☐ Yes (Please provide the de	etails requested below).				
Party Name 1	Party Name 2	Filing Date	Index No.	Type of A	Action
].	ats
Plaintiff/Petitioner Attorney	Defendant/Respondent	Attorney Disp	osition/ Statu	ıs	Disposition Date
Party Name 1	Party Name 2	Filing Date	Index No.	Type of A	Action
Plaintiff/Petitioner Attorney	Defendant/Respondent	Attorney Disp	bosition/ Statu	ıs	Disposition Date
If needed, please add addition	nal pages. Additional pages	added? Tyes	s 🗆 N	10	
18. HCR Registrations: Has	the building been registered	d annually with H	ICR during the	inquiry per	iod?
□No					
☐ Yes or Partially (Provide the 19. Coercion: During the inqui	ne building registration for e	ach year of the ir	nquiry period re	egistered).	
unit at the property? No Yes (Provide details) 20. Services: During the inqu	uiry period, has any title hole	der or lessee, its	agents, emplo	yees or oth	er persons acting
on its behalf interrupted or dis water, electricity, gas, and ele	scontinued any services at t	he property, incl	uding, but not I	limited to, h	eat, hot water, cold
Yes (Provide details)					

its behalf removed th	ne possessions of an	occupant from the dwe	elling unit, remov	mployees or other persons a red the door at the entrance t	to an
		lying the occupant wit		entrance door inoperable, or	criangeu
□No					
☐ Yes (Provide deta	ails)				
22. Other: Is there a	ny other information r	elevant to this applica	tion?		
□ No	•				
☐ Yes (Provide deta	ails)				
					=
23. Vacate Orders:	Has any governmenta	al agency issued any v	racate orders (fu	Il or partial) with respect to	
□ No	erty during the inquir	period or active if iss	ded prior to the	inquiry period:	
☐ Yes (Provide deta	ails)				
Vacate Order No.	Issuina Agency	Date Issued	Date Lifted	Basis of Order	
	.county regener				
No. of Occupants	No. of Occupants	Describe any releva	nt information	such as the dates occupar	nts
Displaced	Returned	returned:			
V 0 1 11		Data lagued	Data Lifted	Pagin of Order	
Vacate Order No.	Issuing Agency	Date Issued	Date Lifted	Basis of Order	
No. of Occupants No. of Occupants Displaced Returned Describe any relevant information such as the dates occupants returned:					
		2 333			
If pooded where and	d additional pages. ^	dditional pages added	2		
		dditional pages added	ſ		Page 15
Yes I	No				. age 13

Applicant Consent: The owner of the property hereby consents to permit HPD unfettered access to the property that is the subject of this application at all times and without prior notice. The purpose of such access is for the investigation of all facts relevant to this application from the date hereof until the date upon which HPD makes a final determination with respect to the grant or denial of the certification pursuant to the application of a Certification of No Harassment.

It is understood that the failure to provide such access when requested will prevent the processing of this application and, in the discretion of HPD, may result in the rejection of the CONH Application.

Further, it is understood that the application may be rejected if it contains any false or misleading statements, or material omissions and the submission of a new application may be barred for 60 months.

Further, it is understood that the applicant and/or undersigned must first obtain a Certification of No Harassment from HPD and all necessary permits from the DOB prior to commencing the work at the subject premises, which is the subject of this application.

I, the applicant, have read the within application and attest that its entire contents are true and complete.

•	-		
Primary Applicant Signature	Secondary Applicant Signature		
Print Name Above	Print Name Above		
Relationship to the Property	Relationship to the Property		
Corporate Entity Designee Signature	Access Authorizer Signature		
Print Name Above	Print Name Above		
Relationship to the Owner (title)	Relationship to the Owner (title)		
Sworn to thisday of			
Notary	_		