

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).

<u>Fee: \$160 per dwelling unit</u> 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

<u>Required Documents</u>: 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.
- 11. Provide a copy of any document regarding the vacatur of any occupant listed in the response to question No.
- 12. Such as an agreement, affidavit or any other written statement concerning the occupants' departure, if it exists.

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: Intake Support. Hand deliveries are only accepted by appointment; Please email us at conhinfo@hpd.nyc.gov to schedule.

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 03/2024

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 Information House No.	n: Identify the prope Street Name	erty that is t	he subject o	of this app	lication Borough Manhattan Queens
Block Lot	HPD Regist	tration ID	BIN		☐ Brooklyn ☐ Staten Island ☐ Bronx
	stating that the building below.				tificate of occupancy or an original of occupancy. Describe the legal and
Type of Unit	Legal Configuration (Number of Units)		nfiguration of Units)		
Apartment Dwelling Units					
SRO Dwelling Units					
Total Dwelling Units					
Commercial Units					
A. What is the basis of	the legal configura	ation?			
Certificate of Occupa	incy				
Other					
Specify					
3. Building Occupancy	: Is the building curr	ently vacar	nt?		
Yes, Date Vacant (N	MM/YYYY)				
No (Describe the cu	rrent occupancy belo	ow.)			

Type of Unit	Occupied (Number of Units)	Vacant (Number of Units)	Total
Apartment Dwelling Units			
SRO Dwelling Units			
Total Dwelling Units			
Commercial Units			

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 **First Name Last Name** Date of Birth Address Suite City State Zip **Business Phone Mobile Phone Fax Number** Relationship to Property **Secondary Applicant** Social Security No. E-mail Address **First Name Last Name** Date of Birth 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 **First Name Last Name** Date of Birth Address Suite City State Zip **Business Phone Mobile Phone Fax Number** 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).

4. Applicant(s): Identify the applicant(s). The applicant must be an individual natural person and must be either a title

property).						
					an application for a certifica	
harassment (c) to the property		otion or wa	aiver fro	m the requirement for a ce	rtification of no harassment	t) to HPD with respect
No No	•					
Yes (Pleas	e provide th	ne details	request	ted helow)		
		ic actails		ica belevy.		
Application D		cant First		Applicant Last Name	Status	
Application D					Status	
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Application D					Status	
	Pate Appli	cant First	Name	Applicant Last Name		
8. Prior Appli representative	cations by	or On Be	ehalf Of	Applicant Last Name	Status Has the owner, the applicator a certification of no harastorial contents.	
8. Prior Appli representative property other	cations by	or On Be	ehalf Of	Applicant Last Name	Has the owner, the applica	
8. Prior Appli representative	cations by acting on than the su	or On Be behalf of tubject pro	ehalf Of the owner	Applicant Last Name f the Owner or Applicant: er ever previously applied f	Has the owner, the applica	
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8. Prior Appli representative property other No Yes (Pleas	cations by acting on than the su	or On Be behalf of t ubject pro	ehalf Of the owner	Applicant Last Name The Owner or Applicant: er ever previously applied for the delow).	Has the owner, the application of no haras	ssment for any

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

Name (1)	Date of Bi	rth S	SN/EIN		Busines	ss Phone	Ownershi	p Start Date
Address				Suite	City		State	Zip
Name (2)	Date of Bi	th S	SN/EIN		Busines	ss Phone	Ownershi	p Start Date
Address				Suite	City		State	Zip
Name (3)	Date of Bi	rth S	SN/EIN		Busines	s Phone	Ownershi	p Start Date
Address				Suite	City		State	Zip
Name (4)	Date of Bir	th SS	SN/EIN	I	Business	Phone	Ownership	o Start Date
Address				Suite	City		State	Zip
B. Current Principal person, list (i) every of such entity, (iii) e holding a 10% or m section 2 of the inst	director, general povery other person a ore economic interest.	artner, i authoriz	managii ed to siç	ng partner, o gn for and bi	r managir nd such e	ng member ontity, and (iv	of such entity, v) every perso	, (ii) every officer on or entity
First Name	Last Name	Date	of Bir	th Social S	ecurity N	o. Busines	s Phone S	tart Date
Address		Suite	City		State	Zip	Role	
First Name	Last Name	Date	of Birth	1 Social Se	curity No	. Business	s Phone Sta	art Date
Address		Suite	City		State	Zip	Role	
First Name	Last Name	Date o	f Birth	Social Sec	urity No.	Business	Phone Star	t Date
Address		Suite	City		State	Zip	Role	

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

Suite City

State

Zip

Role

Address

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

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

10. Prior Ownership

A. Have you been the owner for the entire inquiry period?

Yes

No (Please provide the details requested below).

Name (1)	EIN (If Entity)	Ownership Start Dat	e Ownership End Date
Address	Suite	City	State Zip
Name (2)	EIN (If Entity)	Ownership Start Dat	e Ownership End Date
Address	Suite	City	State Zip
Name (3)	EIN (If Entity)	Ownership Start Dat	te Ownership End Date
Address	Suite	City	State Zip
Name (4)	EIN (If Entity)	Ownership Start Dat	De Ownership End Date
Address	Suite	City	State Zip
Name (5)	EIN (If Entity)	Ownership Start Dat	De Ownership End Date
Address	Suite	City	State Zip
Name (6)	EIN (If Entity)	Ownership Start Dat	te Ownership End Date
Address	Suite	City	State Zip
Name (7)	EIN (If Entity)	Ownership Start Dat	te Ownership End Date
Address	Suite	City	State Zip

If needed, please add additional pages.

Additional pages added?

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		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		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		State	Zip	
First Name	Last Name	Role			Start Date		End Date	

If needed, please add additional pages.

Additional pages added?

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

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
				Occupancy Date	Rent	Stabilized!	Lease	

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

Yes

No

B. List all current commercial occupants of the property.

Name	e	Unit	Floor		Occupan Date	псу	Monthly Rent		rrent ase?	Phone
40.5	1 111							<u> </u>		
12. Former Occupa any reason from the cobuyout, eviction, surrean agreement, affidavi	ommencement of tender of occupance to any other writter	the inqu y rights,	iry period or any c	d to the other rea	present. I son. Prov	Pleas	se indicate the r a copy of any co	eason f orrespor	or vacatur	such as relocation umentation, such a
"no documentation exi First Name	sts." Last Name			Unit	Floor	Initi	al Occupancy	/ Date		
Move Out Date	Last Monthly R	Rent M	Move O	ut Reas	son					
Current Address					Suite	City	<i>!</i>	State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupancy	/ Date		
Move Out Date	Last Monthly R	Rent M	Move O	ut Reas	son					
Current Address					Suite	City	,	State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupancy	/ Date		
Move Out Date	Last Monthly R	Rent I	Move O	ut Reas	son					
Current Address					Suite	City	<u>'</u>	State	Zip	Phone
First Name	Last Name			Unit	Floor	Initi	al Occupancy	y Date		
Move Out Date	Last Monthly R	Rent M	Move O	ut Reas	son					
Current Address					Suite	City	,	State	Zip	Phone

13. Relocation Needs: Will any occupants be relocated or displaced as a result of the alteration or demolition work to be performed at the property?

No

Yes (Please provide the details requested below).

First Name	Last Name		Unit F	Floor	Reason for	Relocation	
Relocation Addres	SS	Suite City		State	Zip	Phone	Monthly Rent
First Name	Last Name		Unit F	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite City		State	Zip	Phone	Monthly Rent
First Name	Last Name		Unit F	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite City		State	Zip	Phone	Monthly Rent
First Name	Last Name		Unit F	Floor	Reason for	Relocation	
Relocation Addres	ss	Suite City		State	Zip	Phone	Monthly Rent
Relocation Addres	Last Name	Suite City	Unit F		Zip Reason for		Monthly Rent
	Last Name	Suite City Suite City	Unit F	Floor			Monthly Rent Monthly Rent
First Name	Last Name			Floor	Reason for	Relocation Phone	
First Name Relocation Addres	Last Name			State	Reason for	Relocation Phone	
First Name Relocation Addres First Name	Last Name	Suite City	Unit F	State Floor State	Reason for Zip Reason for	Relocation Phone Relocation Phone	Monthly Rent

If needed, please add additional pages.

No

Access Authorizer, Current Owr and Prior Management) ever be	Proceedings: Have any of the parts, Prior Owners, Current Prince en convicted of a crime within the od, a defendant in a criminal process.	cipals & Officers, P ne inquiry period or	rior Principals & O is any such perso	fficers, Management n or entity currently or at
Yes (Please provide the c	letails requested below).			
Name	Case Caption	Court	Docket No.	Disposition
	,	•	•	•
·	•			
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
Complainant Attorney	Respondent Attorney	Disposition	n/Current Status	Disposition Date
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
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Complainant Attorney	Respondent Attorney	Disposition	n/Current Status	S Disposition Date
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
Complainant Attorney	Respondent Attorney	Disposition	n/Current Status	S Disposition Date
	roceedings: During the inquirefore any governmental or qu	• •	•	
No				
Yes (Please provide the c	letails requested below).			
Name of Filing Party	Name of Respondent	Filing Date	Docket No.	Type of Proceeding
1	1.1	1.1	1.1	

Disposition/Current Status

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

Respondent Attorney

Yes

Complainant Attorney

Disposition Date

No	otaila raquaatad balaw\			
Yes (Please provide the de	Party Name 2	Filing Date	Index No.	Type of Action
Plaintiff/Petitioner Attorney	Defendant/Respondent	Attorney D	isposition/ Status	S Disposition Date
Party Name 1	Party Name 2	Filing Date	Index No.	Type of Action
Plaintiff/Petitioner Attorney	Defendant/Respondent	Attorney D	isposition/ Status	S Disposition Date
If needed, please add addition	ା ∟ nal pages. Additional pages	added?	Yes No	 o
18. HCR Registrations: Has				
No		•	J	. , .
Yes or Partially (Provide th	ne building registration for e	ach year of th	e inquiry period re	gistered).
19. Coercion: During the inquent on its behalf used force, or the unit at the property? No	• •			
Yes (Provide details)				
20. Services: During the inquoin its behalf interrupted or dis				
water, electricity, gas, and ele		proporty, ii	.o.aa.iig, baciiotiii	
No				
Yes (Provide details)				

17. Litigation: During the inquiry period, has there been any litigation with respect to the property?

its behalf removed the occupied dwelling un	ne possessions of an o	occupant from the dwo or otherwise rendere	elling unit, removed the lock on an	mployees or other persons acting on yed the door at the entrance to an entrance door inoperable, or changed
Yes (Provide deta	ails)			
	ny other information re	elevant to this applica	ition?	
No				
Yes (Provide deta	ails)			
	Has any governmenta perty during the inquiry			Il or partial) with respect to inquiry period?
No Yes (Provide deta	ails)		·	
Vacate Order No.	Issuina Agency	Date Issued	Date Lifted	Basis of Order
Vadato Gradi No.	1334111g Agency			
No. of Occupants Displaced	No. of Occupants Returned	Describe any releva	ant information	such as the dates occupants
Vacate Order No.	Issuing Agency	Date Issued	Date Lifted	Basis of Order
No. of Occupants Displaced	No. of Occupants Returned	Describe any relevant returned:	ant information	such as the dates occupants
If needed, please ad	d additional pages. Ac	Iditional pages added	l?	

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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	-