

LOCAL LAW 97: Documentation of Affordable Housing Status

This chart will help owners identify the documentation that can verify their LL97 compliance requirements.

Path & Type	Documentation
Article 321 (The Prescriptive Pathway)	
Buildings in which <u>more than 35%</u> of units are rent regulated	DHCR Certified Registered Apartment Information Report showing number of units under rent regulation.* Owners can request records here: orarecords@hcr.ny.gov
Co-ops under HDFC ownership (“HDFC co-ops”)	Certificate of Incorporation certified by the state* Owners can get copies here: https://dos.ny.gov/copies-corporation-or-business-entity-documents
Projects with HUD project-based assistance (e.g., Section 8, 202, 811, or CoC)	Contract showing proof of project-based assistance program*
NYCHA Public Housing participating in the PACT program or served by project-based Section 8	NYCHA data
Article 320.3.10.1 (The 2026 Compliance Pathway)	
Buildings with > 1 unit and up to 35% of units that are rent regulated	DHCR Certified Registered Apartment Information Report showing number of units under rent regulation.* Owners can request records here: orarecords@hcr.ny.gov
Article 320.3.9 (The 2035 Compliance Pathway)	
Mitchell-Lama Buildings	Certificate of Incorporation certified by the state* Owners can get copies here: https://dos.ny.gov/copies-corporation-or-business-entity-documents
Buildings with one or more units where income is restricted in accordance with certain types of affordable housing programs. The following tax exemptions may qualify: Article IV, Article V, Article XI, DAMP, UDAAP, or 420-c. Loans made under the authority of the Private Housing Finance Law Articles 8, 8A, 8B, 15, or 22 may also qualify. IH/MIH without any other loan or tax exemption does not qualify.	Copy of Regulatory Agreement or Restrictive Declaration, executed in connection with one of the programs at left, showing at least one unit with income restriction on it.* Obtain regulatory agreements and restrictive declarations here: ACRIS If providing a regulatory agreement or restrictive declaration pursuant to a tax exemption and only a tax exemption, provide a DOF property tax bill with proof of the exemption.* Obtain property tax bills from DOF’s Property Tax Public Access Web Portal
Documentation must be accurate at the time of the compliance deadline. If a project’s status changes, it may be subject to other provisions of the law.	