

Fact Sheet

FAQ: Enforcement Department

My building has just been designated as an individual landmark or as part of a historic district, what should I do to ensure I comply with the landmarks law?

The Commission helps preserve the City's landmarks by working with owners to ensure that planned changes are appropriate to the character and style of their buildings. The Landmarks Law requires owners to keep landmark properties in good repair and obtain a permit from LPC before starting work that affects or alters the appearance of the building, or if the work requires a Department of Buildings Permit.

When work is done on a landmark property without a permit, or when a landmark building is not maintained in a condition of good repair, the Commission may issue a violation, which may result in penalties. Please [visit the LPC website](#) to see what types of work require an LPC permit. If you want to perform work on your property but are unsure if you need an LPC permit, please [contact the agency](#) and we are happy to provide guidance.

What happens if work is done to a landmark building without a permit?

The goal of the Commission's Enforcement efforts is to protect designated buildings. Consequently, the LPC Enforcement team works closely with owners and tenants to provide guidance on how to address violations so that a permit can be issued for the work. LPC initiates this dialogue by sending a Warning Letter describing the work performed without a permit and instructing the owner to submit an application to legalize or correct the work. Sometimes the work complies with the Commission's regulations and the LPC will issue a permit retroactively for the work. However, very often work that is completed without the benefit of LPC guidance does not comply with regulations and requires proposing modifications before a permit can be issued.

What should I do if I receive a Warning Letter?

Contact LPC and our staff will work with you to ensure that the issue is resolved as quickly as possible. The name and phone number of the Enforcement Officer is in the Warning Letter. The agency sends Warning Letters to owners to give them the chance to correct an illegal condition without paying a fine. The letter describes the illegal work and states that the owner can either correct it, or appeal to the full Commission to retroactively legalize it.

Working with LPC, you may be able to obtain a permit for the work as is, or with some modifications. If the work is not eligible for a permit by staff, you may seek approval by the full

Commission at a Public Hearing to legalize it. Penalties will not be assessed during the application process and if the matter is resolved through the process.

If the Warning Letter is not responded to, and the violation is not cured, LPC will issue a Notice of Violation (NOV) which may require an appearance at a hearing held at the Environmental Control Board and may result in a civil penalty.

I purchased a landmark building with existing violations. What can I do to address the violation?

The Commission's expert staff frequently works with new owners whose buildings have pre-existing violations. In most cases, an owner can [correct a violation](#) by obtaining a permit from the Commission that retroactively legalizes the work performed on the property or by performing corrective work authorized by a newly obtained permit that corrects the violation. Please note that in some cases, the Commission will require that the illegal work be modified, removed, or replaced. An uncorrected violation can be an obstacle to an owner in refinancing or selling his or her property. While there is an outstanding violation on a landmark, no Department of Building (DOB) permits will be issued for the property unless the DOB permit is for correcting an unsafe condition.

Can I report work that I think may be illegal? What information is most useful to include when reporting a possible illegal condition to the Commission?

Yes, the LPC receives complaints from members of the public. [Complaints](#) can be made anonymously. When reporting a condition, one should include information such as the address where the possible illegal condition is located, and a detailed description of the work in question (e.g. windows are being changed on the 3rd floor). If possible, a photograph of the condition being reported is very useful.

What happens once a complaint is received by the Commission?

The staff then reviews permit records to ascertain whether an LPC permit has been issued for the work, examines designation photographs to see if the condition in question was present at designation and is therefore a “grandfathered” condition, and makes site visits to examine and photograph the condition being investigated. After these steps are taken, staff decides whether a violation exists and if a Warning Letter or Notice of Violation should be issued. Because a fair amount of research is undertaken before taking action, violations are usually not immediately issued. However, complaints of work actively underway take priority when undertaking investigations and taking action.

Does the Enforcement staff do sweeps of neighborhoods?

The Enforcement staff does not do sweeps of neighborhoods. LPC investigations are complaint driven, and we receive hundreds of complaints annually. Sometimes a number of possible illegal

conditions on one block or in one neighborhood are brought to the attention of the Enforcement staff at the same time and, on rare occasions, there can be multiple investigations going on at once in a given area.

Who do I call to complain about wild animals, garbage, or environmental issues?

Different City agencies regulate these issues. Please call 311 for more information and to be directed to the appropriate agency.