



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/crb/html/meeting.html> for additional information and scheduling changes.

Design Commission

Meets at 253 Broadway, 5th Floor, New York, New York 10007. For meeting schedule, please visit nyc.gov/designcommission or call (212) 788-3071.

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 40 Rector Street, OATH Lecture Room, 18th Floor, New York, NY 10006 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor,

Manhattan, Monthly on Wednesdays, commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesdays each month, commencing at 9:30 A.M. unless otherwise notified by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Disposition are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting.

These meetings are open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five business days before the Board Meeting.

For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

BROOKLYN BOROUGH PRESIDENT

PUBLIC HEARINGS

UNIFORM LAND USE REVIEW PROCEDURE

NOTICE IS HEREBY GIVEN that, pursuant to Sections 82 and 197-C of the New York City Charter, the Brooklyn

Borough President will hold a public hearing on the following matters in the **Borough President's Conference Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 5:30 P.M. on Wednesday April 17, 2013.**

CALENDAR ITEM 1

PITKIN-BERRIMAN REZONING

ZONING MAP AMENDMENT

COMMUNITY DISTRICT 5

130161 ZMK

In the matter of applications submitted by Pitkin Berriman HDPC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map: 1) eliminating from within an existing R5 District a C1-3 District property bounded by a line 150 feet northerly of Pitkin Avenue, Berriman Street, Pitkin Avenue, and Shepherd Avenue; and changing from an R5 District to an R7A District and establishing within the proposed R7A a C2-4 District property bounded by a line 100 feet northerly of Pitkin Avenue, Berriman Street, Pitkin Avenue, and Shepherd Avenue to facilitate the development of a seven story, 60 unit affordable housing development.

CALENDAR ITEM 2

UNION AVENUE/MCCARREN PARK

CITY MAP AMENDMENT

COMMUNITY DISTRICT 1

110254 MMK

In the matter of an application submitted by the Department of Parks and Recreation and the Open Space Alliance for North Brooklyn pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving the discontinuance and closing of Union Avenue from North 12th Street to Driggs Avenue and a portion of Driggs Avenue at its former intersection with North 13th Street; the establishment of an addition to McCarren Park; and, the adjustment of grades necessitated thereby including authorization for any acquisition or disposition of real property.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kevin Parris at (718) 802-3856 at least five business days before the day of the hearing.

a10-16

CITY COUNCIL

LAND USE DIVISION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, April 16, 2013:

MANHATTAN CORE PARKING TEXT AMENDMENT MANHATTAN CB's 1 through 8 N 130105 ZRM

Application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, concerning Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and Portions of Community Districts 1 and 2 in the Borough of Queens), and various other Sections, modifying the regulations governing off-street parking and loading in Manhattan Community Districts 1 through 8, see Council Website - <http://legistar.council.nyc.gov/Calendar.aspx> for further information.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 16th Floor, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, April 16, 2013.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the Council Committee Room, 16th Floor, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, April 16, 2013:

BRIDGE 145

MANHATTAN CB - 10 20135449 HAM
Application submitted by the New York City Department of Housing Preservation and Development for a tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 151-53 West 145th Street (Block 2014, Lot 11), 155-57 West 145th Street (Block 2014, Lot 10), 2468-70 Seventh Avenue (Block 2029, Lot 33), Community District 10, Council Districts 7 and 9.

a10-16

CITY UNIVERSITY

■ PUBLIC HEARINGS

BOARD OF TRUSTEES

Notice of Borough Public Hearing, Annual Queens Borough Hearing, Monday, April 22, 2013 at 5:00 P.M.

Queens Borough Hall, 120-55 Queens Boulevard, Room 213, Kew Gardens, New York 11424.

■ a15

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, April 24, 2013 at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

BRONX DA STORAGE FACILITY

CD 4 C 130131 PCX
IN THE MATTER OF an application submitted by the Bronx County District Attorney's Office and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 260 East 161 Street (Block 2443, part of Lot 100), for use as a storage facility.

BOROUGH OF QUEENS

No. 2

QUEENS WEST PARK ADDITION

CD 2 C 110253 MMQ
IN THE MATTER OF an application submitted by the Queens West Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of 46th Road and 47th Avenue between East River Road and Center Boulevard; a portion of 46th Avenue and 47th Road between East River Road and Center Boulevard; and East River Road north of 47th Road;
- the establishment of a park addition northwest of 47th Road and Center Boulevard;
- the extinguishment of a pedestrian access easement;
- the delineation of sewer easements; and
- the adjustment of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5016 dated July 23, 2012 and signed by the Borough President.

No. 3

BEACH 12TH STREET DEMAPPING

CD 14 C 120209 MMQ
IN THE MATTER OF an application submitted by Bnos Bais Yaakov of Far Rockaway pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Beach 12th Street between Caffrey Avenue and Frisco Avenue;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5017 dated October 22, 2012 and signed by the Borough President.

No. 4

DISPOSITION OF PROPERTY

CD 2 C130159 PPQ
IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of four (4) city-owned properties located on Block 276, Lot 46, Block 2545, Lot 54, Block 2573, Lot 124 and Block 2575, Lot 244, pursuant to zoning.

No. 5

BELLERROSE-FLORAL PARK-GLEN OAKS REZONING CD 13 C 130188 ZMQ
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 11b,11d, 15a, and 15c:

1. eliminating from an existing R2 District a C1-2 District bounded by:

- a. a line 150 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 150 feet southeasterly of Hillside Avenue, 249th Street, Hillside Avenue, and 253rd Street;
 - b. 77th Road, a boundary line of the City of New York, a line 80 feet southeasterly of 77th Road and its northeasterly prolongation, a line 300 feet northeasterly of 21st Street, a line midway between 77th Road and Union Turnpike, and 271st Street;
 - c. a line perpendicular to the northeasterly street line of 271st Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 271st Street and the southeasterly street line of Union Turnpike, and Langdale Street; and
 - d. a line perpendicular to the easterly street line of Langdale Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the southeasterly street line of Union Turnpike, a boundary line of the City of New York, a line 240 feet northerly of 78th Avenue, and Langdale Street;
2. eliminating from an existing R4 District a C1-2 District bounded a line 100 feet northeasterly of Braddock Avenue, 239th Street, Braddock Avenue, 92nd Road, Gettysburg Street, 92nd Avenue, 224th Street, Braddock Avenue, and Moline Street;
 3. eliminating from within an existing R2 District a C2-2 District bounded by:
 - a. a line 150 feet northwesterly of Hillside Avenue, 261st Street, a line 150 feet southeasterly of Hillside Avenue, 258th Street, Hillside Avenue, a line 100 feet southwesterly of 256th Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway; and
 - b. a line 150 feet northwesterly of Hillside Avenue, a boundary line of the City of New York, and 267th Street;
 4. eliminating from within an existing R3-2 District a C2-2 District bounded by:
 - a. a line 100 feet northwesterly of Jamaica Avenue, 243rd Street, Jamaica Avenue, and 240th Street; and
 - b. a line 150 feet northwesterly of Union Turnpike, Little Neck Parkway, a line perpendicular to southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252nd Street, a line perpendicular to the northeasterly street line of 252nd Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252nd Street and the northwesterly street line of Union Turnpike, and 252nd Street;
 5. eliminating from within an existing R4 District a C2-2 District bounded by:
 - a. a line 100 feet northeasterly of Braddock Avenue, a line 100 feet southeasterly of 241st Street, Braddock Avenue, and 239th Street; and
 - b. a line 150 feet northerly of Jamaica Avenue, 91st Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line 100 feet northwesterly of Jamaica Avenue, 249th Street, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;
 6. changing from an R2 District to an R1-2A District property bounded by:
 - a. 267th Street and its northwesterly centerline prolongation, 73rd Avenue, the northeasterly prolongation of a southeasterly street line of 260th Place, a line 45 degrees to the centerline of 72nd Road and passing through the point of intersection of the centerline of 72nd Road and the southeasterly centerline prolongation of 266th Street, 72nd Road, the southeasterly street line of 260th Place and its northeasterly and southwesterly prolongations, Little Neck Parkway, and Grand Central Parkway; and
 - b. a line 100 feet southeasterly of Union Turnpike, 233rd Street, Seward Avenue, 235th Street, a line 100 feet southeasterly of Seward Avenue, the southeasterly centerline prolongation of 236th Street, Winchester Boulevard, a line 100 feet northerly of Hillside Avenue, 232nd Street, a line 100 feet northwesterly of

Seward Avenue, and a line midway between 232nd Street and 233rd Street;

7. changing from an R3-2 District to an R1-2A District property bounded by 72nd Road, a line 45 degrees to the centerline of 72nd Road and passing through the point of intersection of the centerline of 72nd Road and the southeasterly centerline prolongation of 266th Street, and the northeasterly prolongation of a southeasterly street line of 260th Place;
8. changing from an R4 District to an R2 District property bounded by Braddock Avenue, a line 150 feet northwesterly of 90th Avenue and its northeasterly prolongation, and 221st Place;
9. changing from an R2 District to an R2A District property bounded by:
 - a. Stronghurst Avenue, Union Turnpike, Winchester Boulevard, the southeasterly centerline prolongation of 236th Street, a line 100 feet southeasterly of Seward Avenue, 235th Street, Seward Avenue, 233rd Street, a line 100 feet southeasterly of Union Turnpike, a line midway between 233rd Street and 232nd Street, a line 100 feet northwesterly of Seward Avenue, 232nd Street, Seward Avenue, and 229th Street; and
 - b. Union Turnpike, 248th Street, a line 150 feet southeasterly of Union Turnpike, 249th Street, Union Turnpike, 252nd Street, 80th Avenue, 254th Street, Union Turnpike, 263rd Street, 76th Avenue, a boundary line of the City of New York, 81st Avenue, 268th Street, 83rd Avenue, a boundary line of the City of New York, a line perpendicular the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the northwesterly street line of Hillside Avenue, Langdale Street, a line 100 feet northwesterly of Hillside Avenue, 263rd Street, Hillside Avenue, 262nd Street, a line 100 feet northwesterly of Hillside Avenue, 255th Street, a line 120 feet northwesterly of Hillside Avenue, a line midway between 255th Street and Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet northwesterly of Hillside Avenue, 253rd Street, Hillside Avenue, 249th Street, a line 100 feet southeasterly of Hillside Avenue, 260th Street, a line 150 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 100 feet southeasterly of Hillside Avenue, 267th Street, a boundary line of the City of New York, a line 100 feet northwesterly of Jamaica Avenue, Little Neck Parkway, 87th Drive, Commonwealth Boulevard, 87th Avenue, the easterly service road of the Cross Island Parkway, Hillside Avenue, the westerly street line of 240th Street and its southerly and northerly prolongations, a line 220 feet northwesterly of 83rd Avenue, a line 150 feet southwesterly of 242nd Street, the southwesterly centerline prolongation of 82nd Avenue, a line 170 feet southwesterly of 242nd Street, a line 436 feet northwesterly of 82nd Avenue and its southwesterly prolongation, a line 90 feet southwesterly of 242nd Street and its northeasterly prolongation (at the straight line portion), a line 43 feet southeasterly of Union Turnpike, and the southwesterly service road of the Cross Island Parkway;
10. changing from an R3A District to an R2A District property bounded by 86th Avenue, a line 100 feet westerly of Cross Island Parkway, 86th Road, a line 240 feet westerly of Cross Island Parkway, 87th Avenue, the easterly service road of Cross Island Parkway, a line 100 feet northeasterly of 88th Road, 247th Street and its northeasterly centerline prolongation, the northerly street line of 88th Avenue and its southeasterly prolongation, Commonwealth Boulevard, 87th Drive, Little Neck Parkway, the centerline of the Long Island Rail Road Right-of-Way, 249th Street, 88th Road, a line midway between 251st Street and 250th Street, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line midway between 89th Avenue and 88th Drive, 247th Street, 90th Avenue, a line 430 feet southeasterly of 247th Street, a line 100 feet northwesterly of Jamaica Avenue, 91st Avenue, 242nd Street, a line 100 feet northerly and northeasterly of Braddock Avenue, a line midway between 239th Street and 238th Street, 88th Avenue, Gettysburg Street, 87th Avenue, 239th Street, a line 100 feet southerly of 86th Avenue, and a line 100 feet easterly of 239th Street;
11. changing from an R3-1 District to an R2A District property bounded a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of northeasterly street line of 233rd Street and the northwesterly

- street line of Winchester Boulevard, and a line midway between 233rd Street and Winchester Boulevard;
12. changing from an R3-2 District to an R2A District property bounded by:
 - a. a line 100 feet southwesterly of Hillside Avenue, a line midway between Range Street and Musket Street, 87th Avenue, the southerly centerline prolongation of Range Street, 88th Avenue, and Winchester Boulevard; and
 - b. 92nd Avenue, Gettysburg Street, 92nd Road, a line 100 feet northeasterly of Gettysburg Street, a line midway between Davenport Avenue and 92nd Road, the southwesterly boundary line of Jack Breininger Park, a line midway between Fairbury Avenue and Edmore Avenue a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and 93rd Avenue, a line 365 feet southwesterly of 240th Street, 93rd Avenue, a line 100 feet southwesterly of 239th Street, 93rd Road, a line 100 feet southwesterly of 224th Street, Edmore Avenue, 224th Street, 92nd Road, and a line 100 feet southwesterly of 224th Street;
 13. changing from an R4 District to an R2A District property bounded by:
 - a. 87th Avenue, a line perpendicular to the northerly street line of 88th Avenue distant 665 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 88th Avenue and the southeasterly street line of Winchester Boulevard, 88th Avenue, and the southerly centerline prolongation of Range Street;
 - b. a line 80 feet northwesterly of 92nd Avenue, a line 180 feet northeasterly of 224th Street, 92nd Avenue, 224th Street; and
 - c. 91st Avenue, a line 80 feet northwesterly of Jamaica Avenue, 245th Street, a line 150 feet northerly of Jamaica Avenue, and Cross Island Parkway; and
 14. changing from an R4-1 District to an R2A District property bounded by:
 - a. a line midway between 88th Drive and 89th Avenue, a line 100 feet easterly of 247th Street, a line midway between 89th Avenue and 90th Avenue, a line 270 feet easterly of easterly of 247th Street, 90th Avenue, and 247th Street; and
 - b. a line midway between 88th Drive and 89th Avenue, Commonwealth Boulevard, a line midway between 89th Avenue and 90th Avenue and its easterly prolongation, a line 400 feet easterly of 247th Street, 89th Avenue, and a line 265 feet easterly of 247th Street;
 15. changing from an R3-1 District to an R3A District property bounded by a line 100 feet southerly of Hillside Avenue, a line midway between 233rd Street and Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of northeasterly street line of 233rd Street and the northwesterly street line of Winchester Boulevard, Winchester Boulevard, 87th Avenue, and 231st Street;
 16. changing from an R3-2 District to an R3A District property bounded by:
 - a. 231st Street, 87th Avenue, Winchester Boulevard, a line 100 feet northeasterly of Braddock Avenue, a line 100 feet northwesterly of Billings Street, Braddock Avenue, and a line 185 feet northwesterly of Billings Street and its northeasterly prolongation;
 - b. 90th Avenue, Borkel Place, Winchester Boulevard, a line 100 feet southwesterly of Braddock Avenue, 91st Avenue, 222nd Street, 91st Road, 224th Street, 92nd Avenue, a line 100 feet southwesterly of 224th Street, Fairbury Avenue, 222nd Street, a line midway between 93rd Avenue and 93rd Road, a line 100 feet southwesterly of 222nd Street, Edmore Avenue, Winchester Boulevard, a line 200 feet southeasterly of 92nd Avenue, 221st Street, a line 100 feet northwesterly of Davenport Avenue, 220th Street, 91st Road, and 221st Place; and
 - c. 92nd Road, Braddock Avenue, 240th Street, a line 100 feet southwesterly of Braddock Avenue, 243rd Street, a line 100 feet northwesterly of Jamaica Avenue, 240th Street, 93rd Road, a line 100 feet southwesterly of 239th Street, 93rd Avenue, a line 365 feet southwesterly of 239th Street, a line midway between Fairbury Avenue and 93rd Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and Edmore Avenue, the southwesterly boundary line of Jack Breininger Park, a line midway between 92nd Road and Davenport Avenue, and a line 100 feet northeasterly of Gettysburg Street;
 17. changing from an R4 District to an R3A District property bounded by:
 - a. a line 100 feet northeasterly of Braddock Avenue, Ashford Street, Braddock Avenue, and a line 100 feet northwesterly of Billings Street;
 - b. 88th Avenue, 235th Court, 88th Avenue, Noline Street, the northwesterly centerline prolongation of 89th Avenue, and a line midway between Pontiac Street and Noline Street; and
 - c. Gettysburg Street, a line 100 feet northeasterly of Braddock Avenue, and a line perpendicular to the northwesterly street line of 237th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237th Street and the northeasterly street line of Braddock Avenue;
 18. changing from an R3-2 District to R3X District property bounded by:
 - a. Hillside Avenue, 235th Court, 87th Avenue, and a line midway between Musket Street and Range Street;
 - b. 88th Avenue, Ransom Street, a line 100 feet northeasterly of Braddock Avenue, and Winchester Boulevard;
 - c. 91st Street, 220th Street, a line 100 feet northwesterly of Davenport Avenue, and 221st Street, a line 200 feet southeasterly of 92nd Avenue, Winchester Boulevard, Edmore Avenue, a line 100 feet southwesterly of 222nd Street, a line midway between 93rd Road and 93rd Avenue, 222nd Street, Fairbury Avenue, a line 100 feet southwesterly of 224th Street, 93rd Road, 220th Street, 93rd Avenue, and Springfield Boulevard;
 - d. a line 125 feet northwesterly of Elkmont Avenue, a line midway between 250th Street and 251st Street and its northwesterly prolongation, Shiloh Avenue, and 249th Street and its northwesterly centerline prolongation; and
 - e. a line 125 feet northwesterly of Elkmont Avenue, Little Neck Parkway, a line perpendicular to the southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252nd Street, a line perpendicular to the northeasterly street line of 252nd Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252nd Street and the northwesterly street line of Union Turnpike, 252nd Street, a line perpendicular to the southwesterly street line of 252nd Street distant 50 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 252nd Street and the northwesterly street line of Union Turnpike, and a line midway between 251st Street and 252nd Street and its northwesterly prolongation;
 19. changing from an R3-2 District to an R3-1 District property bounded by a line 125 feet northwesterly of Elkmont Avenue, a line midway between 251st Street and 252nd Street and its northwesterly prolongation, Union Turnpike, 249th Street, Shiloh Avenue, and a line midway between 250th Street and 251st Street and the northwesterly prolongation;
 20. changing from an R2 District to an R3-2 District property bounded by:
 - a. a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, Hillside Avenue, and 232nd Street;
 - b. Hillside Avenue, 253rd Street, a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255th Street, a line 120 feet northwesterly of Hillside Avenue, 255th Street, a line 100 feet northwesterly of Hillside Avenue, 262nd Street, Hillside Avenue, 263rd Street, a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, 267th Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 150 feet southeasterly of Hillside Avenue, 260th Street, and a line 100 feet southeasterly of Hillside Avenue, and 249th Street; and
 - c. 81st Avenue, a boundary line of the City of New York, 83rd Avenue, and 268th Street;
 21. changing from an R3-1 District to an R3-2 District property bounded by Hillside Avenue, Winchester Boulevard, a line 100 feet southerly and southeasterly of Hillside Avenue, and 231st Street;
 22. changing from an R3A District to an R4-1 District property bounded by 90th Avenue, a line 100 feet northwesterly of Jamaica Avenue, and a line 430 feet easterly of 247th Street;
 23. changing from an R4 District to an R4-1 District property bounded by a line 540 feet northeasterly of Braddock Avenue, Pontiac Street, Braddock Avenue, and Ransom Street;
 24. changing from a C8-1 District to an R4 District property bounded by a line 100 feet northerly of Jamaica Avenue, 251st Street and its southerly centerline prolongation, a boundary line of the City of New York, and 249th Street and its southerly centerline prolongation;
 25. establishing within a proposed R3-2 District a C2-3 District bounded by a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255th Street, a line 120 feet northwesterly of Hillside Avenue, 255th Street, Hillside Avenue, a line 100 feet southwesterly of 256th Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway;
 26. establishing within an existing and proposed R4 District a C2-3 District bounded by a line 100 feet northwesterly of Jamaica Avenue, 251st Street, Jamaica Avenue, and Commonwealth Boulevard;
 27. establishing within an existing R3A District a C1-3 District bounded by Hillside Avenue, a line 140 feet easterly of 241st Street, 85th Avenue, and 241st Street;
 28. establishing within existing and proposed R3-2 Districts a C1-3 District bounded by:
 - a. a line 100 feet northwesterly of Hillside Avenue, 234th Street and its southeasterly centerline prolongation, a line 100 feet southeasterly of Hillside Avenue, a line midway between 233rd Street and Winchester Boulevard, Hillside Avenue, and a line midway between 233rd Street and 234th Street;
 - b. Hillside Avenue, a line midway between Range Street and Musket Street, a line 100 feet southwesterly of Hillside Avenue, and Musket Street;
 - c. a line 100 feet northwesterly of Jamaica Avenue, a line midway between 242nd Street and 241st Street, Jamaica Avenue, and 240th Street;
 - d. a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet southeasterly of Hillside Avenue, 249th Street, Hillside Avenue, and 253rd Street;
 - e. a line 100 feet northwesterly of Hillside Avenue, 261st Street, Hillside Avenue, 264th Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 150 feet southeasterly of Hillside Avenue, 260th Street, a line 100 feet southeasterly of Hillside Avenue, 258th Street, Hillside Avenue, and 255th Street;
 - f. a line 100 feet northwesterly of Hillside Avenue, 266th Street, a line 100 feet southeasterly of Hillside Avenue, and 265th Street; and
 - g. a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, 267th Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260th Street and 261st Street, a line 150 feet southeasterly of Hillside Avenue, 260th Street, and a line 100 feet southeasterly of Hillside Avenue, and 249th Street; and

- street line of 268th Street, East Williston Avenue, and 267th Street; and
29. establishing within an existing R4 District a C1-3 District bounded by:
- a line 100 feet northeasterly of Braddock Avenue, Winchester Boulevard, Braddock Avenue, and a line midway between Ashford Street and Winchester Boulevard;
 - Braddock Avenue, 222nd Street, 91st Avenue, a line 100 feet southwesterly of Braddock Avenue, and Winchester Boulevard;
 - a line 100 feet northeasterly of Braddock Avenue, Gettysburg Street, a line perpendicular to the northwesterly street line of 237th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237th Street and the northeasterly street line of Braddock Avenue, 237th Street, Braddock Avenue, a line midway between 237th Street and 238th Street, a line 100 feet northeasterly of Braddock Avenue, 238th Street, Braddock Avenue, 92nd Road, Gettysburg Street, 92nd Avenue, a line 180 feet northeasterly of 224th Street, a line 80 feet northwesterly of 92nd Avenue, 224th Street, Braddock Avenue, and Lyman Street;
 - a line 100 feet northeasterly of Braddock Avenue, 239th Street, Braddock Avenue, and a line 50 feet southeasterly of 238th Street;
 - a line 100 feet northeasterly of Braddock Avenue, 240th Street, Braddock Avenue, and a line midway between 239th Street and 240th Street;
 - a line 100 feet northeasterly of Braddock Avenue, 241st Street, Braddock Avenue, and a line midway between 241st Street and 240th Street;
 - a line 100 feet northerly of Braddock Avenue, 242nd Street, 91st Avenue, a line 100 feet easterly of 242nd Street, Braddock Avenue, and a line midway between 242nd Street and 241st Street; and
 - a line 150 feet northerly of Braddock Avenue, 245th Street, a line 80 feet northwesterly of Jamaica Avenue, 91st Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;

as shown in a diagram (for illustrative purposes only) dated February 19, 2013, and subject to the conditions of CEQR Declaration E-299.

No. 6

USTA BILLIE JEAN KING TENNIS CENTER
CDs 3, 4, & 6-9 C 130155 PPQ
IN THE MATTER OF an application submitted by the NYC Department of Parks and Recreation (DPR) and the USTA National Tennis Center Inc., pursuant to Section 197-c of the New York City Charter, for the disposition of a lease of city-owned property to the USTA National Tennis Center Inc. located northerly of United Nations Avenue North, between Meridian Road, and Path of Americas (Block 2018, p/o Lot 1) within Flushing Meadows-Corona Park.

NOTICE

On Wednesday, April 24, 2013, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a disposition of non-residential City-owned land at the USTA Billie Jean King National Tennis Center (NTC), located in Flushing Meadows Corona Park in Queens. The NTC is located on a portion of Queens Block 2018, Lot 1, on park land leased by The City of New York Department of Parks and Recreation to USTA National Tennis Center, Incorporated (USTA). The leased site is bounded to the north by the railway tracks of Long Island Railroad (LIRR)'s Port Washington line; United Nations Avenue North to the south; the Passarelle Building and Path of the Americas to the east; and Grand Central Parkway to the west. The proposed actions would facilitate a proposal to improve and expand USTA facilities, collectively known as the NTC Strategic Vision. To accommodate the proposed project, up to 0.94 acres of land would be added to the NTC site, including up to 0.68 acres of park land that would be alienated. Written comments on the DEIS are requested and would be received and considered by the Lead Agency through Monday, May 6, 2013.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 12DPR005Q.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

a10-24

CITY PLANNING

■ PUBLIC HEARINGS

FORMULATION of PROPOSED 2014 CONSOLIDATED PLAN: ONE-YEAR ACTION PLAN

A **public hearing** on the formulation of the City of New York's Proposed 2014 Consolidated Plan: One Year Action Plan for U.S. Department of Housing and Urban Development (HUD) Formula Entitlement funds will be held on **Monday, April 15, 2013** beginning at **2:30 P.M.** at the Department of City Planning located at 22 Reade Street, Spector Hall, Manhattan.

The PUBLIC HEARING will be followed by a brief question and answer session with City agency representatives in attendance. In addition, at this forum, agency representatives will receive comments on the City's performance on Consolidated Plan activities in 2012.

The Consolidated Plan defines the City's use of federal entitlement funds for housing, homeless assistance, supportive housing services and community development programs and is required by HUD. It consolidates the statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's annual application for the four HUD Office of Community Planning and Development entitlement programs: Community Development Block Grant (CDBG), HOME Investment Partnership, Emergency Solutions (Shelter) Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The Public Hearing has been scheduled to provide the public the opportunity to submit comments on the formulation of the document and the City's use of these federal funds.

For more information contact: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street 4N, New York, New York 10007, (212) 720-3337.

The City of New York
 Amanda M. Burden, FAICP Director,
 Department of City Planning

a2-15

COMPTROLLER

■ MEETING

The City of New York's Audit Committee meeting is scheduled for Monday, April 22, 2013 from 9:30 A.M. to 12:00 Noon at 1 Centre Street in Room 530. Meeting is open to the general public.

a15

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 01 - Tuesday, April 16, 2013 at 7:00 P.M., Astoria World Manor, 25-22 Astoria Boulevard, Queens, NY

110178ZMQ
 23rd Street Rezoning
IN THE MATTER OF an application submitted by T.F. Cusanelli Architect P.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map by establishing within an existing R3 district a C1-4 district.

a10-16

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 12 - Tuesday, April 16, 2013 at 7:00 P.M., 5910 13th Avenue, Brooklyn, NY

701 Avenue P/a.k.a 1679-1687 East 7th Street
 Application filed pursuant to Section 72-21 of the zoning resolution of the City of New York as amended, to request a variance to allow the enlargement of a single-family residence located in a residential R5 zoning district, in the Special Ocean Parkway sub-district.

a10-16

ENVIRONMENTAL CONTROL BOARD

■ MEETING

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS/ ENVIRONMENTAL CONTROL BOARD

The next meeting will take place on Thursday, April 25, 2013 at 40 Rector Street, 18th Floor, New York, NY 10006 at 9:15 A.M. at the call of the Chairman.

a15-17

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of

New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on **Tuesday, April 23, 2013 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 14-2364 - Block 123, lot 44- Barnett Avenue between 48th Street and 50th Street - Sunnyside Gardens Historic District A park built in 1926. Application is to legalize the installation of retaining walls and to install additional retaining walls. Community District 4.

BINDING REPORT
BOROUGH OF QUEENS 14-2234 - Block 898, lot 1- 24-02 19th Street-Astoria Park Pool and Play Center - Individual Landmark An Art Moderne style pool complex designed by John Matthews Hutton, Aymar Embury II, landscape architects Gilmore D. Clarke and Allyn R. Jennings, and civil engineers W. Earle Andrews and William H. Latham and built in 1934-36. Application is to modify the bleachers, perimeter wall, diving pool and platforms, and to install signage and paving. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 14-1405 - Block 262, lot 54- 280 Henry Street-Brooklyn Heights Historic District A Greek Revival style rowhouse built in 1837 and altered in the late 19th and mid-20th centuries. Application is to construct a bulkhead, and mechanical equipment on the roof, reconstruct the rear facade and addition, and excavate the cellar and rear yard. Zoned R-6, LH-1. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-2122 - Block 1963, lot 68- 156 St. James Place-Clinton Hill Historic District A vernacular frame house built circa 1865. Application is to alter the facade, replace windows and doors, and install a stoop. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-9332 -Block 1930, 1940, lot 1,4- 325-365 Clinton Avenue-Clinton Hill Historic District An apartment building complex designed by Harrison, Foulhoux & Abramovitz and built in 1942. Application is establish a master plan governing the future replacement of windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-8919 - Block 2112, lot 11- 127 St. Felix Street-Brooklyn Academy of Music Historic District An Italianate style rowhouse built c.1859. Application is to construct a stair bulkhead, alter the rear facade, and excavate the cellar and rear yard. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-6748 - Block 444, lot 11- 356 President Street - Carroll Gardens Historic District A brick house built in 1869. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s). Community District 6.

BINDING REPORT
BOROUGH OF MANHATTAN 14-2329 - Block 1, lot 10- Governors Island - Governors Island Historic District A portion of an island in New York Harbor containing fortifications and a range of military buildings dating from the early 19th century to the 1930s. Application is to remove brick pathways. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1137 -Block 607, lot 1- 32 Avenue of the Americas-Long Distance Building of the American Telephone and Telegraph Company Building- Individual Landmark An Art Deco style building designed by McKenzie, Voorhees and Gmelin and constructed in 1911-14 and enlarged by seven stories in 1914-16, and substantially enlarged again and altered in 1930-32 by Voorhees, Gmelin & Walker. Application is to establish a Master Plan to alter ground floor openings, and install storefront infill, marquees and signage. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1322 -Block 482, lot 44- 430 Broome Street-SoHo-Cast Iron Historic District Extension A Queen Anne style store and factory building built in the earlier part of the 19th century and altered in 1894-95 by Julius Kastner. Application is to construct a rooftop addition. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1580 -Block 500, lot 21- 110 Prince Street-SoHo-Cast Iron Historic District A one-story building designed by John Truso and built in 1994. Application is to retain rooftop artwork installed as temporary pursuant to Certificate of No Effect 12-3782 as a temporary installation. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-2604 -Block 586, lot 7- 74 Wooster Street-SoHo-Cast Iron Historic District A factory designed by Charles Mattam and built in 1869. Application is to install new storefront infill, remove shutters, enlarge a light well and construct a rooftop addition. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-7977-Block 576, lot 48- 11 West 12th Street - Greenwich Village Historic District A townhouse originally built in 1847, and altered in the 20th century. Application is to alter the front facade and

reconstruct the rear façade, modify a bulkhead, excavate the rear yard and install a rear yard wall. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-8441 - Block 593, lot 23-395 6th Avenue-Greenwich Village Historic District A commercial building originally built in 1876, remodeled in 1958 and again in 1985 by James Stewart Polshek. Application is to alter the facade, install storefront infill, and signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1240- Block 611, lot 65-33 Greenwich Avenue-Greenwich Village Historic District An apartment building built in 1960-61. Application is remove a sidewalk cafe enclosure altered without Landmarks Preservation Commission permit(s), and construct a new sidewalk cafe enclosure. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-3756 -Block 590, lot 10-275 Bleecker Street-Greenwich Village Historic District Extension II A Federal/ Italianate style rowhouse built c.1818 and altered in 1876. Application is to modify storefront cladding installed without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1825 - Block 1119, lot 36-54 King Street-Charlton-King-Vandam Historic District A Greek Revival style rowhouse built in 1841. Application is to modify the roof and rear facade. Zoned R10A, C4-7. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-4449 - Block 720, lot 20-455 West 22nd Street-Chelsea Historic District An Anglo-Italianate style rowhouse built in 1855. Application is to construct a rear yard addition. Zoned R7B. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1197 - Block 827, lot 39-202 Fifth Avenue, aka 1122 Broadway, 103 West 25th Street - Madison Square North Historic District A neo-Classical style office building designed by Buchman & Kahn, with Zimmerman, Saxe & Zimmerman, and built in 1918-1919. Application to construct a rooftop addition and bulkhead; raise a parapet; modify and create masonry openings; replace façade cladding; and install storefront infill, windows, signage, lighting, a marquee, and interior partitions at windows. Zoned C5-3. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-0476 - Block 829, lot 39-242 Fifth Avenue-Madison Square North Historic District A Queen Anne style store building designed by George Harding and built in 1885. Application is to construct rooftop and rear yard additions, and install storefront infill. Zoned C5-2. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1084- Block 846, lot 33-200 Park Avenue South, aka 39-45 East 17th Street-The Everett Building- Individual Landmark A Chicago style commercial building designed by Goldwin Starrett and Van Vlaeck and built in 1908. Application is to install signage and replace the storefront doors. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-2160 - Block 1217, lot 1-165 West 86th Street -West Park Presbyterian Church - Individual Landmark A Romanesque Revival style church, designed by Henry Killburn and built in 1889-90. Application is to install a canopy and signage. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-0283 - Block 1128, lot 59-52 West 76th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by George M. Walgrove and built in 1887-89. Application is to legalize the installation of security cameras and intercom installed without Landmarks Preservation Commission permit(s), and areaway and stoop alterations completed in non-compliance with Certificate of No Effect 09-0606. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-9170 - Block 1211, lot 47-132 West 81st Street-Upper West Side/Central Park West Historic District A neo-Grec style rowhouse designed by Edward J. Webb and built in 1887, altered in the Beaux-Arts style by Edward J. Webb in 1904. Application is to alter the facade, demolish the existing rear extension, and construct rear yard and rooftop additions. Zoned R8B. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1525 - Block 1218, lot 149-152 West 88th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by Neville & Bagge and built in 1893. Application is to excavate the rear yard. Zoned R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-1235 - Block 1147, lot 19-125 West 75th Street-Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse designed by Neville & Bagge and built in 1893-94. Application is to alter the areaway and install new walls and railings. Zoned R8B. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-8160 - Block 1150, lot 48-140 West 79th Street-Upper West Side/Central Park West Historic District A neo-Tudor style apartment building designed by Rose & Goldstone and built in 1913-1914. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s) and establish

a Master Plan governing the future installation of windows. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-8564 - Block 1251, lot 15-311 West 90th Street-Riverside West End Historic District A Renaissance Revival style rowhouse, designed by Thomas J. Sheridan and built in 1890-1891. Application is to construct the rear and rooftop additions, replace windows, lower the areaway, and construct a stoop. Zoned R-8. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1275 - Block 1379, lot 51-747 Madison Avenue-Upper East Side Historic District An apartment house designed by Kikkins & Lyras and built in 1959. Application is to replace storefront infill, install signage, and re-clad the base of the building. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-0003 - Block 1383, lot 50-827 Madison Avenue-Upper East Side Historic District A Queene Anne style residence built in 1880 and modified in 1923 by James Casale. Application is to re-clad the first floor. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-2080 - Block 1406, lot 1-737 Park Avenue-Upper East Side Historic District A Classicizing Art-Deco style apartment building designed by Sylvan Bien and built in 1940. Application is to install mechanical equipment at the roof. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-1501 - Block 1385, lot 7501-11-15 East 70th Street-John Chandler and Corrine deBebian Moore House-Individual Landmark A neo-French Classic style residence, designed by John Duncan, and built in 1909-1910, and a Beaux-Arts style residence, designed by Charles I. Berg, and built in 1909-1910. Application is to amend Certificate of Appropriateness a Master Plan for the installation of new window openings. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-0328 - Block 1377, lot 71-815 Fifth Avenue-Upper East Side Historic District A building built in 1870-71 and altered in 1923 by Murgatroyd and Ogden, and subsequently stripped of ornament at the upper floors. Application is to demolish most of the building and construct a new building. Zoned R-10. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-2598 - Block 1420, lot 7501-1127 3rd Avenue - Manhattan House - Individual Landmark A modern style mixed-use complex, consisting of a 21-story apartment house, and underground garage, and two groups of stores, designed by Mayer & Whittlesey and Skidmore, Owning, and Merrill, and built between 1947 and 1951. Application is to install through-the-wall HVAC louvers. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 14-2184 - Block 1503, lot 57,58-28-30 East 92nd Street-Carnegie Hill Historic District Two Renaissance Revival style rowhouses designed by Henry J. Hardenbergh and built in 1892-95. Application is to combine the buildings, alter the areaways, and construct rooftop and rear yard additions. Zoned R-10/C 1-5. Community District 8.

a10-23

MEETING

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York that on **Tuesday, April 16, 2013**, there will be a Public Meeting of the Landmarks Preservation Commission in the Public Hearing Chamber at 1 Centre Street, 9th Floor North, Borough of Manhattan, City of New York. For information about the Public Meeting agenda, please contact the Public Information Officer at (212) 669-7817.

a11-15

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, April 24, 2013. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing Columbia Grammar and Preparatory School to construct, maintain and use a ramp, steps and planted areas on the south sidewalk of West 94th street, east of Central Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$1,293/annum.

For the period July 1, 2013 to June 30, 2014 - \$1,325
For the period July 1, 2014 to June 30, 2015 - \$1,357
For the period July 1, 2015 to June 30, 2016 - \$1,389

For the period July 1, 2016 to June 30, 2017 - \$1,421
For the period July 1, 2017 to June 30, 2018 - \$1,453
For the period July 1, 2018 to June 30, 2019 - \$1,485
For the period July 1, 2019 to June 30, 2020 - \$1,517
For the period July 1, 2020 to June 30, 2021 - \$1,549
For the period July 1, 2021 to June 30, 2022 - \$1,581
For the period July 1, 2022 to June 30, 2023 - \$1,613

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 In the matter of a proposed modification revocable consent authorizing Consolidated Edison Company of NY, Inc. to construct, maintain and use additional improvements. The improvements consist of antennas equipment boxes and conduits and related appurtenances on the tops and sides of The Department of Transportation street light poles, in the Five (5) Boroughs of the City of New York. The proposed revocable consent is for a term of nine years from the date of approval by the Mayor to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$84,421 + \$7,500/annum (prorated from the date of Approval by the Mayor)

For the period July 1, 2013 to June 30, 2014 - \$ 94,511
For the period July 1, 2014 to June 30, 2015 - \$ 97,101
For the period July 1, 2015 to June 30, 2016 - \$ 99,691
For the period July 1, 2016 to June 30, 2017 - \$102,281
For the period July 1, 2017 to June 30, 2018 - \$104,871
For the period July 1, 2018 to June 30, 2019 - \$107,461
For the period July 1, 2019 to June 30, 2020 - \$110,051
For the period July 1, 2020 to June 30, 2021 - \$112,641
For the period July 1, 2021 to June 30, 2022 - \$115,231

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

#3 In the matter of a proposed revocable consent authorizing Evergreen Gardens, Inc. to continue to maintain and use a tunnel under and across Evergreen Avenue, north of Story Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$3,527
For the period July 1, 2013 to June 30, 2014 - \$3,623
For the period July 1, 2014 to June 30, 2015 - \$3,719
For the period July 1, 2015 to June 30, 2016 - \$3,815
For the period July 1, 2016 to June 30, 2017 - \$3,911
For the period July 1, 2017 to June 30, 2018 - \$4,007
For the period July 1, 2018 to June 30, 2019 - \$4,103
For the period July 1, 2019 to June 30, 2020 - \$4,199
For the period July 1, 2020 to June 30, 2021 - \$4,295
For the period July 1, 2021 to June 30, 2022 - \$4,391

the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be the amount of One Thousand Two Hundred Fifty Million Dollars (1,250,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing Government of the Republic of Singapore to construct, maintain and use sidewalk lights on the south sidewalk of East 48th Street, west of United Nations Plaza, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2023- \$125/annum.

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 In the matter of a proposed revocable consent authorizing Knickerbocker Square Associates, L.P. to continue to maintain and use a fenced-in planted area, on the north sidewalk of Gates Avenue, east of Knickerbocker Avenue, and continuing along east side of Knickerbocker Avenue in the northerly direction, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$1,252/annum.

the maintenance of a security deposit in the sum of \$12,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2000,000) aggregate.

a4-24

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, April 17, 2013. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing State Renaissance Townhomes LLC to construct, maintain and use a stoop on the north sidewalk of State Street,

between Hoyt Street and Bond Street, at 345 State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$266/annum
 For the period July 1, 2013 to June 30, 2014 - \$273
 For the period July 1, 2014 to June 30, 2015 - \$280
 For the period July 1, 2015 to June 30, 2016 - \$287
 For the period July 1, 2016 to June 30, 2017 - \$294
 For the period July 1, 2017 to June 30, 2018 - \$301
 For the period July 1, 2018 to June 30, 2019 - \$308
 For the period July 1, 2019 to June 30, 2020 - \$315
 For the period July 1, 2020 to June 30, 2021 - \$322
 For the period July 1, 2021 to June 30, 2022 - \$329
 For the period July 1, 2022 to June 30, 2023 - \$336

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 In the matter of a proposed revocable consent authorizing State Renaissance Townhomes LLC to construct, maintain and use a stoop on the north sidewalk of State Street, between Hoyt Street and Bond Street, at 347A State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$266/annum
 For the period July 1, 2013 to June 30, 2014 - \$273
 For the period July 1, 2014 to June 30, 2015 - \$280
 For the period July 1, 2015 to June 30, 2016 - \$287
 For the period July 1, 2016 to June 30, 2017 - \$294
 For the period July 1, 2017 to June 30, 2018 - \$301
 For the period July 1, 2018 to June 30, 2019 - \$308
 For the period July 1, 2019 to June 30, 2020 - \$315
 For the period July 1, 2020 to June 30, 2021 - \$322
 For the period July 1, 2021 to June 30, 2022 - \$329
 For the period July 1, 2022 to June 30, 2023 - \$336

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 In the matter of a proposed revocable consent authorizing State Renaissance Townhomes LLC to construct, maintain and use a stoop on the north sidewalk of State Street, between Hoyt Street and Bond Street, at 349A State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$266/annum
 For the period July 1, 2013 to June 30, 2014 - \$273
 For the period July 1, 2014 to June 30, 2015 - \$280
 For the period July 1, 2015 to June 30, 2016 - \$287
 For the period July 1, 2016 to June 30, 2017 - \$294
 For the period July 1, 2017 to June 30, 2018 - \$301
 For the period July 1, 2018 to June 30, 2019 - \$308
 For the period July 1, 2019 to June 30, 2020 - \$315
 For the period July 1, 2020 to June 30, 2021 - \$322
 For the period July 1, 2021 to June 30, 2022 - \$329
 For the period July 1, 2022 to June 30, 2023 - \$336

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing State Renaissance Townhomes LLC to construct, maintain and use a stoop on the north sidewalk of State Street, between Hoyt Street and Bond Street, at 353 State Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2013 - \$266/annum
 For the period July 1, 2013 to June 30, 2014 - \$273
 For the period July 1, 2014 to June 30, 2015 - \$280
 For the period July 1, 2015 to June 30, 2016 - \$287
 For the period July 1, 2016 to June 30, 2017 - \$294
 For the period July 1, 2017 to June 30, 2018 - \$301
 For the period July 1, 2018 to June 30, 2019 - \$308
 For the period July 1, 2019 to June 30, 2020 - \$315
 For the period July 1, 2020 to June 30, 2021 - \$322
 For the period July 1, 2021 to June 30, 2022 - \$329
 For the period July 1, 2022 to June 30, 2023 - \$336

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 In the matter of a proposed revocable consent authorizing The City University of New York (LaGuardia Community College Center III) to construct, maintain and use the building projections above the sidewalks of 29th Street, Skillman Avenue, Thompson Avenue and 30th Street, in the Borough of Queens. The proposed revocable consent is for a term of twenty five years from date of Approval by the Mayor to June 30, 2038 and provides among others terms and conditions for compensation payable to the city according to the following schedule:

From the date of approval by the Mayor to June 30, 2038 - \$25/annum

There shall be no security deposit

#6 In the matter of a proposed revocable consent authorizing Sprint Communication Company L.P. to continue to maintain and use cables in the existing facilities of the Empire City Subway Company (Limited) ("ECSC") under certain Streets in the West side of the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$69,600
 For the period July 1, 2014 to June 30, 2015 - \$71,489
 For the period July 1, 2015 to June 30, 2016 - \$73,378
 For the period July 1, 2016 to June 30, 2017 - \$75,267
 For the period July 1, 2017 to June 30, 2018 - \$77,156
 For the period July 1, 2018 to June 30, 2019 - \$79,045
 For the period July 1, 2019 to June 30, 2020 - \$80,934
 For the period July 1, 2020 to June 30, 2021 - \$82,823
 For the period July 1, 2021 to June 30, 2022 - \$84,712
 For the period July 1, 2022 to June 30, 2023 - \$86,601

the maintenance of a security deposit in the sum of \$86,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#7 In the matter of a proposed revocable consent authorizing West 64th Street LLC to continue to maintain and use an underground improvement under the south sidewalk of West 65th Street, east sidewalk of Broadway and north sidewalk of West 64th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$193,328
 For the period July 1, 2014 to June 30, 2015 - \$198,575
 For the period July 1, 2015 to June 30, 2016 - \$203,822
 For the period July 1, 2016 to June 30, 2017 - \$209,069
 For the period July 1, 2017 to June 30, 2018 - \$214,316
 For the period July 1, 2018 to June 30, 2019 - \$219,563
 For the period July 1, 2019 to June 30, 2020 - \$224,810
 For the period July 1, 2020 to June 30, 2021 - \$230,057
 For the period July 1, 2021 to June 30, 2022 - \$235,304
 For the period July 1, 2022 to June 30, 2023 - \$240,551

the maintenance of a security deposit in the sum of \$125,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

m28-a17

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

CITYWIDE PURCHASING

NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing is currently selling surplus assets on the internet. Visit

<http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>. To begin bidding, simply click on 'Register' on the home page. There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more. Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

fy24-d1

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * **Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555**
- * **Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030**

FOR ALL OTHER PROPERTY

- * **Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906.**
- * **Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.**
- * **Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.**
- * **Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.**
- * **Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.**

j1-d31

PROCUREMENT

"Compete To Win" More Contracts!
Thanks to a new City initiative - "Compete to Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- **Win More Contracts at nyc.gov/competetowin**

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

CITYWIDE ADMINISTRATIVE SERVICES

SOLICITATIONS

Goods

GRP: HARRIS TRANSPAK MODEL 375 RE-AD – Competitive Sealed Bids – PIN# 8571300388 – DUE 05-09-13 AT 10:30 A.M. – A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nyc/vendoronline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services,
 1 Centre Street, 18th Floor, New York, NY 10007.
 Deborah Hibbler (212) 386-0411; Fax: (212) 313-3167;
dhibbler@dcas.nyc.gov

a15

FUEL OIL AND REPAIRS FOR HPD – Competitive Sealed Bids – PIN# 8571300023 – DUE 05-13-13 AT 10:30 A.M.
● FUEL OIL AND REPAIRS FOR HPD - ERP – Competitive Sealed Bids – PIN# 8571300078 – DUE 05-13-13 AT 10:30 A.M.

A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nyc/vendoronline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services,
 1 Centre Street, 18th Floor, New York, NY 10007.
 Veronica Vanderpool (212) 669-8517; Fax: (212) 669-7581;
vvanderpool@dcas.nyc.gov

a15

CITYWIDE PURCHASING

SOLICITATIONS

Services (Other Than Human Services)

PUBLIC SURPLUS ONLINE AUCTION – Other – PIN# 0000000000 – DUE 12-31-14.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services,
 66-26 Metropolitan Avenue, Queens Village, NY 11379.
 Donald Lepore (718) 417-2152; Fax: (212) 313-3135;
dlepore@dcas.nyc.gov

s6-f25

MUNICIPAL SUPPLY SERVICES

VENDOR LISTS

Goods

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an

acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j2-d31

DESIGN & CONSTRUCTION

CONTRACT SECTION

■ SOLICITATIONS

Construction / Construction Services

EMERGENCY SEWERS - CITYWIDE – Request for Qualifications – PIN# SEWERS-CW – DUE 05-20-13 AT 4:00 P.M. – The RFQ is available on the City Record website: <http://a856-internet.nyc.gov/nycvendoronline/vendorsearch/asp/Postings.asp>

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2200; Fax: (718) 391-2615.

☛ a15

INSTALLATION OF 60-INCH AND 20-INCH WATER MAINS – Competitive Sealed Bids – PIN# 85013B0080 – DUE 05-09-13 AT 11:00 A.M. – In: 54th Street between Flushing Avenue and Grand Avenue, Queens. PROJECT NO.: QED1008/DDC PIN: 8502013WWM0006C. Experience Requirements. Bid documents are available at: <http://www.nyc.gov/buildnyc>

This bid solicitation includes M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Vendor Source ID#: 83907.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid Document Deposit - \$35.00 per set. Company check or money order only. No cash accepted. Late bids will not be accepted. Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2200; Fax: (718) 391-2615.

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ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Services (Other Than Human Services)

TRANSPORTATION AND DISPOSAL SERVICES FOR NYC BIOSOLIDS, CITYWIDE – Competitive Sealed Bids – PIN# 826141308BIO – DUE 05-02-13 AT 11:30 A.M. – Project No. 1308-BIO: Document Fee; \$100.00. There will be a pre-bid conference on 4/23/13 at 10:30 A.M. at 96-05 Horace Harding Expressway, 2nd Floor Conference Room #4, Flushing, NY 11373. For technical questions please contact the Project Manager, Alexander Frenzel, (718) 595-5126.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236; ghall@dep.nyc.gov

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AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Services (Other Than Human Services)

LARGE VOLUME VENDORS OF RESIDENTIAL TOILET FIXTURES IN NEW YORK CTIY – Negotiated Acquisition – PIN# 8262012TRP001 – DUE 05-10-13 AT 4:00 P.M. – Time Sensitive Negotiated Acquisition. A pre-submission meeting will be held 4/25/2013 at 10:00 A.M. at 59-17 Junction Blvd., 11th Floor Conference Room.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Glorivee Roman (718) 595-3226; Fax: (718) 595-3208; glroman@dep.nyc.gov

a12-18

FIRE

■ AWARDS

Services (Other Than Human Services)

REPRODUCTION SERVICES – Negotiated Acquisition – PIN# 05706P0001CNVN001 – AMT: \$696,884.68 – TO: National Reprographics, Inc., 44 West 18th Street, New York, NY 10012. Term shall be for a period of 6 months. Minor rules violation ratified pursuant to Section 1-02(h)(ii) of the PPB Rules.

Extension of the contract beyond the cumulative 12 month limit necessary to continue required services.

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HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods

COPIERS FOR SALE – Competitive Sealed Bids – PIN# 000041213011 – DUE 05-07-13 AT 3:00 P.M. – If you have any question regarding this bid, please call Ray Pastorello at (212) 318-4320.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Coler-Goldwater Memorial Hospital, 1 Main Street, Roosevelt Island, New York, NY 10044. Starr Kollore (212) 318-4260; Fax: (212) 318-4253; starr.kollore@nychhc.org

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HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Human / Client Services

PRIMARY HEALTH CARE TO ADOLESCENTS IN SCHOOL-BASED HEALTH CENTER – Negotiated Acquisition – PIN# 14SH010001R0X00 – DUE 04-18-13 AT 4:00 P.M. – The Department's Health Promotion and Disease Prevention Bureau intends to enter into a Negotiated Acquisition Extension with the providers listed below to continue to provide crucial onsite primary and reproductive health care services, as well as to provide first-aid and initial emergency care, as needed, to the entire student body enrolled in the school-based health center. The term of the contract will be from 07/01/13 to 06/30/14. Any vendor that believes it can also provide these services for such procurement in the future is invited to submit an expression of interest which must be received no later than April 18, 2013 at 4:00 P.M. Expressions of Interest should be sent to DOHMH, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, New York 11101, Attn: Doreen Redmond; (347) 396-6628; dredmond@health.nyc.gov

a11-17

Services (Other Than Human Services)

SPOLIGOTYPING TESTING – Sole Source – Available only from a single source - PIN# 13TB054501R0X00 – DUE 04-18-13 AT 4:00 P.M. – The Department, Bureau of Tuberculosis Control, intends to enter into a Sole Source with Health Research, Inc. to perform DNA analysis of tuberculosis positive patients by utilizing both the spoligotyping and IS6110-Based Restriction Fragment Length Polymorphism (RFLP) methods. The vendor will also perform deletion analysis and Polymerase Chain Reaction (PCR) - based drug resistance analyses. The term of the contract will be from 04/01/2012 to 03/31/2013. Any vendor that believes it can provide these services for such procurement in the future is invited to submit an expression of intent which must be received no later than April 17, 2013 at 4:00 P.M. Expressions of Interest should be sent to DOHMH, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, New York 11101, Attn: Doreen Redmond; (347) 396-6628; dredmond@health.nyc.gov

a11-17

BRADFORD/GOLD SUPPORT FOR WIRELESS PHONES – Sole Source – Available only from a single source - PIN# 14MI009501R0X00 – DUE 04-19-13 AT 4:00 P.M. – The Department (DOHMH), Division of Informatics, Information Technology and Telecommunication (DITT) intends to enter into a Sole Source negotiation with Bradford Networks, Inc. to provide maintenance and support for wireless telephones. The term of the contract will be from 07/01/2013 to 06/30/2016. Any vendor that believes it can provide these services for such procurement in the future is invited to submit an expression of intent which must be received no later than April 17, 2013 at 4:00 P.M. Any questions regarding this NA should be address in writing to the above Contracting Officer. Expressions of Interest should be sent to DOHMH, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, New York 11101, Attn: Doreen Redmond; (347) 396-6628; dredmond@health.nyc.gov

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HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

ZONE VALVE STATIONS/HEATING CONTROL REPLACEMENT AT LEAVITT STREET - 34TH AVENUE – Competitive Sealed Bids – PIN# HE1228993 – DUE 05-06-13 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Housing Authority, 90 Church Street, New York, NY 10007. Vaughn Banks (212) 306-6727; Fax: (212) 306-5152; vaughn.banks@nycha.nyc.gov

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HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Human / Client Services

JOBS-PLUS SERVICES - COMPETITION II IN MILL BROOK HOUSES, BRONX CD 1 – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 06913H079707 – AMT: \$3,150,000.00 – TO: Federation Employment and Guidance Services, Inc., 315 Hudson Street, 2nd Floor, NY, NY 10013. Term: 4/1/13-3/31/16. E-PIN: 09612P0004007.

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OFFICE OF MANAGEMENT AND BUDGET

■ VENDOR LISTS

Services (Other Than Human Services)

VALUE ENGINEERING VENDOR PRE-QUALIFICATION – OMB maintains a Pre-Qualified List (PQL) for Value Engineering (VE) Consultant Services for Complex Capital Projects. Consultant must be a Certified Value Specialist (CVS), as accredited by SAVE International. Consultant must have recent experience in performing complex VE studies on projects that are valued at over \$100 million. To request a pre-qualification questionnaire please contact Michelle Rolon by June 28, 2013 at (212) 788-5821 or via e-mail at contracts@omb.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Office of Management and Budget, 255 Greenwich Street, New York, NY 10007. Michelle Rolon (212) 788-5821; Fax: (212) 788-9197; contracts@omb.nyc.gov

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PARKS AND RECREATION

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

SUBSURFACE INVESTIGATIONS AT VARIOUS PARKS LOCATIONS CITYWIDE, RECONSTRUCTION OF SIDEWALKS DAMAGED BY ADJACENT CITY-OWNED TREES – Competitive Sealed Bids – DUE 05-02-13 AT 10:30 A.M. – E-PIN# 84613B0052 - Subsurface investigations E-PIN# 84613B0046 - Reconstruction of sidewalks

Known as Contract #CNYG-613M. E-PIN: 84613B0052. In the Boroughs of Bronx, Brooklyn, and Queens, known as Contract #CNYG-213M. E-PIN: 84613B0046.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows Corona Park, Flushing, NY 11368. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov Olmsted Center, Room 60, Flushing Meadows-Corona Park, Flushing, NY 11368.

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POLICE

EQUIPMENT SECTION

■ SOLICITATIONS

Goods

NYPD PUBLIC SAFETY TRAFFIC VESTS – Competitive Sealed Bids – PIN# 05613ES00003 – DUE 05-01-13 AT 11:00 A.M. – For NYPD Police Officers, NYPD Auxiliary Police and NYPD School Crossing Guards (10,000/20,000) which conforms to the Police Department Specifications. If you are interested, you may download online at www.nyc.gov/cityrecord, click "visit City Record On-Line (CROL)" link. Click "Search Procurement Notices." Enter PIN#: 05613E00003. Click "Submit." Log in or enroll to download solicitations and/or awards. All potential vendors who wish to bid are required to enclose a sample of the specified Public Safety Traffic Vest for NYPD Police Officers, NYPD Auxiliary Police and NYPD School Crossing Guards along with a 3rd Party Assessment Certificate (IOS - 17025) and a certified check for \$5,000.00 made payable to the Police Commissioner, City of New York. Failure to submit sample and a certified check with your sealed bid will result in rejection of submitted sealed bid.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Police Department, One Police Plaza, Room BIBB, New York, NY 10038. Sgt. George Molloy (646) 610-5940. 51 Chambers Street, Room 310, New York, NY 10007.

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SCHOOL CONSTRUCTION AUTHORITY

SOLICITATIONS

Construction / Construction Services

PLAYGROUND REDEVELOPMENT – Competitive Sealed Bids – PIN# SCA13-14813D-1 – DUE 04-29-13 AT 10:00 A.M. – J.H.S. 72 (Queens). Project Range: \$1,670,000.00 - \$1,761,000.00. Non-refundable Bid Document Charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be prequalified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Procurement Department, 1st Floor, Long Island City, NY 11101. Ekoko Omadeke (718) 752-5854; Fax: (718) 472-0477; eomadeke@nycsca.org

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CONTRACT SERVICES

SOLICITATIONS

Construction / Construction Services

AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA13-14684D-1 – DUE 04-30-13 AT 11:00 A.M. – PS 73 (Bronx). Project Range: \$1,260,000.00 - \$1,330,000.00. Non-refundable Bid Document Charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Lily Persaud (718) 752-5852; Fax: (718) 472-0477; lpersaud@nycsca.org

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TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

PROCUREMENT

SOLICITATIONS

Services (Other Than Human Services)

ONSITE REPAIRS AND PREVENTIVE MAINTENANCE TO THE GERBER SCIENTIFIC, MUTOH AND ALLEN DATAGRAPH EQUIPMENT – Competitive Sealed Bids – PIN# 12MNT2906000 – DUE 05-10-13 AT 3:00 P.M. – A pre-bid conference is scheduled for 4/24/13 at 9:30 A.M. Reservations must be made by contacting Robin Golubow, Contract Manager, at (646) 252-7322 no later than noon the preceding work day.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Triborough Bridge and Tunnel Authority, 2 Broadway, 23rd Floor, New York, NY 10004. Victoria Warren (646) 252-7092; Fax: (646) 252-7077; vprocure@mtabt.org

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

EDUCATION

PUBLIC HEARINGS

The Department of Education's (DOE) Chancellor's Committee on Contracts (COC) has been asked for approval to enter into contract negotiations with the following organization(s) for the services described below. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so in writing to Jay G. Miller at 65 Court Street, Room 1201, Brooklyn, NY 11201. Responses should be received no later than 9:00 A.M., Wednesday, April 24, 2013. Any COC approval will be contingent upon no expressions of interest in performing services by other parties.

Item(s) for Consideration:

1. MyLibraryNYC

Service(s): The Office of School Programs and Partnerships seeks approval to enter into an agreement with the New York Public Library (NYPL), Brooklyn Public Library (BPL), and Queens Library (QL) for the expanded roll out of the enhanced online catalog MyLibraryNYC. The enhanced catalog provides students with better access to an increased number and variety of resources including digital materials, virtual learning opportunities available 24/7, automated school library catalogs with web-based access, and improved school library instructional programs.

Term: July 1, 2012 – June 30, 2013
Estimated Contract Cost: \$426,198

2. Comprehensive Development, Inc.

Service(s): Manhattan Comprehensive Night and Day High School (MCNDHS) seeks approval to enter into an agreement with Comprehensive Development, Inc. (CDI) to provide student support services to MCNDHS students. Services include guidance counseling, tutoring, homework assistance, extra-curricular clubs, internship opportunities and placement, college and career services, and legal information.

Term: January 1, 2013 – June 20, 2013
Estimated Contract Cost: \$198,499.97

3. Comprehensive Development, Inc.

Service(s): City-As-Schools (CAS) High School, Fred Koury Campus, seeks approval to enter into an agreement with Comprehensive Development, Inc. (CDI) to provide student support services to CAS students. Services include guidance counseling, tutoring, homework assistance, extra-curricular clubs, internship opportunities and placement, college and career services, and legal information.

Term: November 15, 2012 – June 30, 2013
Estimated Contract Cost: \$125,000

4. Good Shepherd Services

Service(s): Boys and Girls High School (BGHS) seeks approval to enter into an agreement with Good Shepherd Services (Good Shepherd) to provide student support services. Good Shepherd provides individual and group counseling to 9th and 10th grade over-age under-credited students to support their academic growth and help them prepare for college and/or their future careers. Services include planning field trips to various colleges, coordination and supervision of college events at BGHS and assistance with college applications. Good Shepherd counselors work with faculty and guidance staff to assess students' needs and provide updates of each student's academic progress and design strategies to assist them in achieving their goal of graduating.

Term: July 1, 2012 – June 30, 2013
Estimated Contract Cost: \$247,671

5. Good Shepherd Services

Service(s): Bronx Bridges High School (Bronx Bridges) seeks approval to enter into an agreement with Good Shepherd Services (Good Shepherd) to provide student support services. Good Shepherd provides individual and group counseling, supports school attendance, monitors academic progress, and offers family involvement to help students to support their academic growth and prepare for college and/or their future careers. Good Shepherd counselors work with faculty and guidance staff to assess students' needs and design strategies to assist them in achieving their goals.

Term: July 1, 2012 – June 30, 2013
Estimated Contract Cost: \$138,000

6. Good Shepherd Services

Service(s): West Brooklyn High School (West Brooklyn) seeks approval to enter into an agreement with Good Shepherd Services (Good Shepherd) to provide student support services. Good Shepherd provides individual and group counseling to help over age under-credited students to support their academic growth and prepare for college and/or their future careers. The Good Shepherd counselors work with faculty and guidance staff to assess students' needs and provide updates of each student's academic progress and design strategies to assist them in achieving their goal of graduating.

Term: July 1, 2012 – June 30, 2013
Estimated Contract Cost: \$147,212

7. McCandlish-Holton

Service(s): The Division of Human Resources and Talent seeks approval to enter into an agreement with McCandlish-Holton to provide legal services. These services include securing H1B visas and green cards for internationally recruited teachers who came to the Department between 2001-2007, and for a limited number of foreign teachers hired at the request of principals in shortage areas after 2007.

Term: November 1, 2013 – October 31, 2018
Estimated Contract Cost: \$1,329,766

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AGENCY RULES

LOFT BOARD

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on proposed changes to § 1-06.1 of the Loft Board Rules related to the statute of limitations for a building owner to file an initial registration application and for a tenant to apply for coverage of a building or unit under Article 7-C of the Multiple Dwelling Law.

Date / Time: May 16, 2013 at 1:00 P.M.

Location: 22 Reade Street
Spector Hall 1st Floor
New York, NY 10007

Contact: New York City Loft Board
280 Broadway, 3rd Floor
New York, NY 10007
(212) 566-5663

Proposed Rule Amendment

Pursuant to the authority vested in the New York City Loft Board by Article 7-C of the Multiple Dwelling Law ("MDL") and Mayor's Executive Order No. 129, dated May 22, 2009, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, the New York City Loft Board intends to amend § 1-06.1 of Title 29 of the Rules of the City of New York to include the statute of limitations for filing initial registration and coverage applications in the amendments made to Article 7-C of the MDL, effective as of June 21, 2010.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to the New York City Loft Board at the address shown above or electronically through NYC RULES at www.nyc.gov/nycrules, by May 16, 2013.
- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact the New York City Loft Board at the phone number shown above by May 13, 2013.
- Copies of the written and summarized oral comments received at the hearing will be available by May 23, 2013 between the hours of 10:00 A.M. and 4:00 P.M. at the offices of the New York City Loft Board.

Statement of Basis and Purpose

Pursuant to § 282 of Article 7-C of the MDL ("Loft Law"), the Loft Board may promulgate rules to ensure compliance with the Loft Law.

In the 2010 amendments to the Loft Law, the New York State Legislature specified that the deadline for seeking coverage by owners and tenants under the Loft Law would be six months from the date the Loft Board adopted the rules necessary to implement the 2010 amendments to its rules. This rule constitutes the final rule necessary to implement the 2010 amendments. Therefore, the deadline for coverage will be six months from the effective date of this rule.

Accordingly, the proposed changes to Loft Board § 1-06.1 are as follows:

- A tenant coverage application or the initial registration application form for coverage by a building owner must be filed on or before January 30, 2014, the date 6 months following the effective date of this rule.

Please note that in 2013, the Legislature further amended the Loft Law to expand the definition of an interim multiple dwelling ("IMD") provided in MDL § 281(5) (effective June 1, 2012). The Legislature set new deadlines for this newest group of IMDs, including a new code compliance timetable. Many of these deadlines, which are covered in other Loft Board rules, are triggered by the effective date of this rule.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this Board, unless otherwise specified or unless the context clearly indicates otherwise.

New matter in the following rule is underlined, and deleted material is in brackets.

Subdivision (a) of section 1-06.1 of Title 29 of the Rules of the City of New York is amended to read as follows:

(a) Filing deadline.

In accordance with the terms and provisions of § 282-a of the MDL, a coverage application or an initial registration application form for coverage pursuant to Article 7-C must be filed with the Loft Board on or before January 30, 2014, which is 6 months following the effective date of this subdivision (a).

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Statute of Limitations for Filing Initial Registration and Coverage Applications, Loft Board Rule § 1-06.1

REFERENCE NUMBER: 2011 RG 096

RULEMAKING AGENCY: Loft Board

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York

City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN Date: April 10, 2013
Acting Corporation Counsel

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Statute of Limitations for Filing Initial Registration and Coverage Applications, Loft Board Rule § 1-06.1

REFERENCE NUMBER: DOB-26

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Ruby B. Choi
Mayor's Office of Operations

4/10/2013
Date

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NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on proposed rule changes to: 1) § 2-01 of the Loft Board rules relating to code compliance work and the narrative statement process; 2) § 2-03 of the Loft Board rules relating to hardship applications and 3) § 2-08 of the Loft Board rules relating to Article 7-C coverage.

Date/Time: May 16, 2013 1:00 P.M.
Location: 22 Reade Street, 1st Floor
Spector Hall
New York, New York
Contact: New York City Loft Board
280 Broadway, 3rd Floor
New York, New York 10007

Proposed Rule Amendment

Pursuant to the authority vested in the New York City Loft Board by Article 7-C of the Multiple Dwelling Law ("MDL") and Mayor's Executive Order No. 129, dated May 22, 2009, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, the New York City Loft Board intends to amend §§ 2-01, 2-03 and 2-08 of Title 29 of the Rules of the City of New York, to be consistent with the 2010 and 2013 amendments to Article 7-C of the Multiple Dwelling Law.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to New York City Loft Board, 280 Broadway, 3rd Floor, New York, New York 10007 or electronically through NYC RULES at www.nyc.gov/nycrules by May 16, 2014.
- If you wish to testify at the hearing, please notify the Loft Board at (212) 566-5663, or at 280 Broadway, 3rd Floor, New York, New York 10007.
- To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact New York City Loft Board by May 13, 2013.
- Written comments and an audiotape of oral comments received at the hearing will be available for public inspection by May 23, 2013, within a reasonable time after receipt of a request at the New York City Loft Board, 280 Broadway, 3rd Floor, New York, New York between the hours of 10:00 A.M. to 4:00 P.M.

STATEMENT OF BASIS AND PURPOSE

Pursuant to § 282 of Article 7-C of the MDL ("Loft Law"), the

Loft Board may promulgate rules to ensure compliance with the Loft Law. In 2010 and 2013, the Legislature amended the Loft Law by enacting Chapters 135 and 147 of the Laws of 2010 and Chapter 4 of the Laws of 2013. The 2010 amendments to the Loft Law established a new category of interim multiple dwellings (IMDs) covered by the Loft Law by adding a new MDL § 281(5). In 2013, the Legislature further amended the definition of an IMD in MDL § 281(5).

As described more fully below, the proposed rule amendments would amend provisions of sections 2-01, 2-03 and 2-08 of Title 29 of the Rules of the City of New York to conform these rules to the 2010 and 2013 amendments to the Loft Law and provide further clarification of existing rule requirements. The proposed rule amendments in Section 1 of this rulemaking would amend subdivisions (a) through (h) of 29 RCNY § 2-01. The proposed amendments in Sections 2 and 3 of this rulemaking would amend subdivisions (i) and (m) of § 2-01. The proposed amendments in Sections 4 through 8 of this rulemaking would amend subdivisions (a) and (b) of 29 RCNY § 2-03. The proposed amendments in Sections 9 through 13 of this rulemaking would amend subdivisions (a), (b), (d), (e), (j), (k), (m), (n), (q), (r), and (s) of 29 RCNY § 2-08.

Amendments to § 2-01

The proposed amendments to § 2-01 in Sections 1 through 3 would:

- Add code compliance deadlines for IMDs subject to the Loft Board's jurisdiction under § 281(5) pursuant to the 2010 and 2013 amendments to the Loft Law;
- Update code compliance deadlines for IMDs subject to the Loft Board's jurisdiction pursuant to §§ 281(1) and 281(4);
- Extend the time to apply for an extension of the final code compliance deadline (certificate of occupancy) for IMD owners subject to the Loft Law pursuant to the 2010 amendments to the Loft Law;
- Clarify the procedures for applying for rent adjustments based on code compliance costs and Rent Guidelines Board increases and explain how such procedures apply to IMDs subject to the Loft Board's jurisdiction pursuant to MDL § 281(5);
- Clarify the Loft Board's procedures for setting the initial legal regulated rent;
- Provide that an owner is subject to civil penalties in accordance with § 2-11.1 for violations of § 2-01; and
- Extend other existing requirements in § 2-01 to the IMDs subject to the Loft Board's jurisdiction pursuant to MDL § 281(5).

Amendments to § 2-03

In Sections 4 through 8, the Loft Board proposes amendments to § 2-03 governing hardship exemption applications to the Loft Board. Pursuant to MDL § 285(2), owners may apply to the Loft Board for an exemption from Article 7-C coverage on the basis that the compliance with Article 7-C would cause an unjustifiable hardship as defined in § 285(2).

The proposed amendments to § 2-03 would:

- Provide the filing deadlines for hardship applications as added in the 2010 and 2013 amendments to the Loft Law;
- Require that an applicant for a hardship exemption attach all supporting documentation to the hardship application form at the time of the initial filing; and
- Generally extend existing provisions in § 2-03 to IMD owners subject to the Loft Board's jurisdiction pursuant to MDL § 281(5).

Amendments to § 2-08

In Sections 9 through 13, the Loft Board proposes amendments to 29 RCNY § 2-08, which governs Article 7-C coverage for IMDs.

The proposed amendments to § 2-08 would:

- Update the requirements for Article 7-C coverage with respect to IMDs covered under MDL § 281(5) in accordance with the 2013 amendments to the Loft Law; and
- Extend existing provisions of § 2-08 to IMDs subject to the Loft Board's jurisdiction pursuant to the 2013 amendments to the Loft Law.

In 2010, the New York State Legislature added restrictions for Article 7-C coverage pursuant to § 281(5) based on, among other things, the size of the IMD and the other uses in the building existing on June 21, 2010. The 2010 amendments excluded from Article 7-C coverage buildings that contained uses that: 1) are listed in Use Groups 15 through 18 of the Zoning Resolution; 2) were currently and actively pursued in the building on June 21, 2010; and 3) the Loft Board determined to be inherently incompatible with residential use in the building. In May 2011, the Loft Board amended § 2-08 to reflect the 2010 amendments to the Loft Law by including the criteria for an IMD pursuant to MDL § 281(5) and by clarifying what uses in Use Groups 15 through 18 are "inherently incompatible" with residential use.

In 2013, the Legislature modified the criteria for Article 7-C coverage pursuant to § 281(5). It reduced the minimum size of an IMD unit from 550 to 400 square feet. It also provided that an activity described in Use Groups 15 through 18 would

only bar Article 7-C coverage if the activity existed on June 21, 2010 and continued until the date of the application for Article 7-C coverage. The proposed amendments to § 2-08 reflect these 2013 changes to the Loft Law.

Matter underlined is new; matter [in brackets] is deleted.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in these rules, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivisions (a) through (h) of section 2-01 of Title 29 of the Rules of the City of New York are amended to read as follows:

§2-01 Code Compliance Deadlines, the Narrative Statement Process, Code Compliance Work and Removal from the Loft Board's Jurisdiction.

(a) Code compliance timetable for Interim Multiple Dwellings (IMD's).

The owner of any building, structure or portion thereof that meets the criteria for an IMD set forth in § 281 of Article 7-C and Loft Board coverage regulations, shall comply with the code compliance deadlines set forth below. Any building or unit that is not covered by Article 7-C because of the denial of a grandfathering application or expiration of study area status is not required to be legalized pursuant to these regulations, unless either the area in which the building is located is rezoned to permit residential use or a unit or units at the building qualify for coverage pursuant to M.D.L. § 281(4) or § 281(5). However, the building must still comply with all other applicable laws and regulations.

[In these code compliance regulations, the term]

Definitions. When used in this section, the following definitions apply, unless context clearly dictates otherwise:

"Alteration application" means the work application form filed with the Department of Buildings of the City of New York ("DOB") which describes the work to be undertaken that will result in obtaining a final certificate of occupancy for an interim multiple dwelling ("IMD") unit, as defined in § 281 of the Multiple Dwelling Law and these rules, ("covered unit") for residential use or joint living-work quarters for artists usage.

"Alteration permit," also referred to as "building permit" or "work permit" means a document issued by DOB authorizing the owner to make the alterations set forth in the approved alteration application which are necessary to obtain a residential certificate of occupancy for a covered unit.

"Alternate plan application" means an occupant's alteration application and associated legalization plan filed with the DOB pursuant to § 2-01(d)(2)(viii).

"Legalization plan" means the construction documents, as defined in § 28-101.5 of the Administrative Code, as may be amended, including but not limited to architectural, structural, detailed drawings, and other required plans submitted to the DOB with the alteration application as defined above.

["month" shall mean thirty days and] "Month" means 30 calendar days.

"Narrative statement" means a document that describes in plain language the proposed alterations in the alteration application and legalization plan and meets the requirements provided in § 2-01(d)(2)(v).

[the term "occupant,"] "Occupant," unless otherwise provided, [shall mean] means a residential occupant qualified for the protections of Article 7-C, any other residential tenant, [and] or any nonresidential tenant.

Code Compliance Deadlines. The failure of an owner to meet any of the code compliance deadlines [set forth] provided below does not relieve the owner of its obligations to comply with these requirements nor does it relieve the owner of its duty to exercise all reasonable and necessary action to so comply.

Paragraphs (1) through (4) of this subdivision implement the initial code compliance deadlines that applied pursuant to § 284(1)(i) of Article 7-C before the enactment of later amendments, and paragraphs (5) through (8) reflect those amendments, as set forth in § 284(1)(ii) through (v). The deadlines set forth in paragraphs (1) through (8) of this subdivision do not apply to a building or a portion of a building subject to Article 7-C pursuant to MDL § 281(5).

Paragraphs (9) and (10) of this subdivision implement the current code compliance deadlines set forth in MDL § 284(1)(vi) for buildings or portions of buildings subject to Article 7-C pursuant to MDL § 281(5). Paragraph (9) implements the current code compliance deadlines for a building or portion of a building covered by Article 7-C pursuant to chapters 135 or 147 of the laws of 2010. Paragraph (10) implements the current code compliance deadlines for a building or portion of a building covered by Article 7-C pursuant chapter 4 of the laws of 2013.

(1) *Deadlines for filing alteration applications.*

- (i) Code compliance timetable for buildings in which all residential units are as of right.

The owner of an IMD that contains only residential units in which residential use is permitted as of right under the Zoning Resolution shall have filed an alteration application by March 21, 1983.

- (ii) Buildings with 3 or more as of right units and

additional units eligible for grandfathering.

The owner of an IMD that, on December 1, 1981, contained 3 or more residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in subsection 281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall have filed an alteration application for all covered as of right residential units by March 21, 1983, and

(B) Following the grandfathering approval of any additional residential units, the owner shall amend the existing alteration application to reflect approval of the grandfathering application for the additional unit or units within a month from such approval or within a month of the effective date of these regulations, whichever is later.

(iii) Buildings with fewer than 3 as of right units and additional units eligible for grandfathering.

The owner of an IMD that, on December 1, 1981, contained fewer than three residential units as of right and 1 or more units eligible for coverage by use of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall file an alteration application for all covered residential units within 9 months after approval of the grandfathering application of the unit that becomes the third covered residential unit, and

(B) Following the grandfathering approval of the unit that becomes the third eligible residential unit, the owner of a building with additional units eligible for grandfathering shall amend the existing alteration application to reflect approval of the grandfathering application for the additional unit or units within a month after such approval or within a month after the initial timely filing of the alteration application referred to in §2-01(a)(1)(iii)(A) above, whichever is later.

(iv) Buildings in study areas rezoned to permit as of right residential use.

The owner of an IMD located in an area designated by the Zoning Resolution as a study area that is rezoned to permit residential use as of right shall file an alteration application within 9 months after the effective date of such rezoning.

(v) Buildings in study areas rezoned to permit residential use with 3 or more as of right units and additional units eligible for grandfathering.

The owner of an IMD that is located in an area designated by the Zoning Resolution as a study area and that, as a result of rezoning, contains 3 or more residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08 "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall file an alteration application for all covered as of right residential units within 9 months after the effective date of such rezoning, and

(B) Following the grandfathering approval of any additional residential units, the owner shall amend the existing alteration application to reflect approval of the grandfathering application for the additional unit or units within a month after such approval.

(vi) Buildings in study areas rezoned to permit residential use with fewer than 3 as of right units and additional units eligible for grandfathering.

The owner of an IMD that is located in an area designated by the Zoning Resolution as a study area and that, as a result of rezoning, contains fewer than 3 residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall file an alteration application for all covered residential units within 9 months after approval of the grandfathering application of the unit that becomes the third covered residential unit, and

(B) Following the grandfathering approval of the unit that becomes the third eligible residential unit, the owner

of a building with additional units eligible for grandfathering shall amend the existing alteration application to reflect approval of the grandfathering application for the additional unit or units within a month after such approval or within a month after the initial timely filing of the alteration application referred to in §2-01(a)(1)(vi)(A) above, whichever is later.

(2) *Deadlines for obtaining permits.*

(i) Code compliance timetable for buildings in which all residential units are as of right.

The owner of an IMD that contains only residential units in which residential use is permitted as of right under the Zoning Resolution shall take all necessary and reasonable actions to obtain a building permit within 6 months after the effective date of these regulations.

(ii) Buildings with 3 or more as of right units and additional units eligible for grandfathering.

The owner of an IMD that, on December 1, 1981, contained 3 or more residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall take all necessary and reasonable actions to obtain a building permit for all covered residential units within 6 months after the effective date of these regulations, and

(B) Following the grandfathering approval of any additional residential units, the owner shall take all necessary and reasonable actions to obtain approval of the amended alteration application for the additional units within 6 months after such grandfathering approval or within 6 months after the effective date of these regulations, whichever is later.

(iii) Buildings with fewer than 3 as of right units and additional units eligible for grandfathering.

The owner of an IMD that, on December 1, 1981, contained fewer than 3 residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall take all necessary and reasonable actions to obtain a building permit for all covered residential units within 6 months after the effective date of these regulations or within 6 months after the timely filing of an alteration application, whichever is later, and

(B) Following the grandfathering approval of the unit that becomes the third eligible residential units, the owner of a building with additional units eligible for grandfathering shall take all necessary and reasonable actions to obtain approval of the amended alteration application for the additional units within 6 months after such grandfathering approval or within 6 months after the effective date of these regulations, whichever is later.

(iv) Buildings in study areas rezoned to permit as of right residential use.

The owner of an IMD located in an area designated by the Zoning Resolution as a study area that is rezoned to permit residential use as of right shall take all necessary and reasonable actions to obtain a building permit for all covered residential units within 6 months after the effective date of these regulations or within 6 months after the timely filing of the alteration application, whichever is later.

(v) Buildings in study areas rezoned to permit residential use with 3 or more as of right units and additional units eligible for grandfathering.

The owner of an IMD that is located in an area designated by the Zoning Resolution as a study area and that, as a result of rezoning, contains 3 or more residential units as of right and 1 or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall take all necessary and reasonable actions to obtain a building permit for all covered residential units

within 6 months after the effective date of these regulations or within 6 months after the timely filing of the alteration application, whichever is later, and

(B) Following the grandfathering approval of any additional residential units, the owner shall take all necessary and reasonable actions to obtain approval of the amended alteration application for the additional units within 6 months after such grandfathering approval.

(vi) Buildings in study areas rezoned to permit residential use with fewer than 3 as of right units and additional units eligible for grandfathering.

The owner of an IMD that is located in an area designated by the Zoning Resolution as a study area and that, as result of rezoning, contains fewer than three residential units as of right and one or more units eligible for coverage by use of one of the grandfathering procedures set forth in §281(2)(i) or (iv) of Article 7-C, as defined in §2-08(a) "Grandfathering" (i) and (ii) of these Loft Board regulations:

(A) Shall take all necessary and reasonable actions to obtain a building permit for all covered residential units within 6 months after the effective date of these regulations or within 6 months after the timely filing of the alteration application, whichever is later, and

(B) Following the grandfathering approval of the unit that becomes the third eligible residential unit, the owner of a building with additional units eligible for grandfathering shall take all necessary and reasonable actions to obtain approval of the amended alteration application for the additional units within 6 months after such grandfathering approval.

(3) *Deadlines for Article 7-B compliance.*

The owner of an IMD shall achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units within 18 months after a building permit has been obtained or within 18 months after the effective date of these regulations, whichever is later. Or the owner may elect to comply with other local building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B (pursuant to §287 of Article 7-C) within 18 months after a building permit has been obtained or within 18 months after the effective date of these regulations, whichever is later. Where an owner is required to amend the existing alteration application to reflect approval of grandfathering applications for additional units pursuant to §2-01(a)(1)(ii)(B), (iii)(B), (v)(B) or (vi)(B) above, the owner shall achieve compliance with the fire and safety standards of Article 7-B, or with alternative building codes or provisions of the M.D.L. for the additional grandfathered unit or units within 18 months after the timely approval of the amended alteration application or within 18 months after the effective date of these regulations, whichever is later. Issuance of a temporary certificate of occupancy shall be considered the equivalent of Article 7-B compliance or compliance with alternative building codes or provisions of the M.D.L.

(4) *Deadlines for obtaining a final certificate of occupancy.*

The owner of an IMD shall take all necessary and reasonable actions to obtain a final certificate of occupancy as a class A multiple dwelling for all covered residential units within 6 months after compliance with the fire and safety standards of Article 7-B, alternative building codes or provisions of the M.D.L. has been achieved, or within 6 months after a temporary certificate of occupancy has been obtained. The owner of an IMD that contains additional units subject to §2-01(a)(1)(ii)(B), (iii)(B), (v)(B) or (vi)(B) above, shall take all necessary and reasonable actions to obtain a final certificate of occupancy as a class A multiple dwelling for the additional unit or units within 6 months after the date such unit or units come into compliance with the fire and safety standards of Article 7-B, alternative building codes, or provisions of the M.D.L., or within 6 months after the date such unit or units are covered by a temporary certificate of occupancy.

(5) Notwithstanding the provisions of subdivisions (a)(1) through (4) of this section, the owner of an IMD who has not been issued a final certificate of occupancy as a class A multiple dwelling for all covered residential units on or before June 21, 1992 shall:

(i) File an alteration application by October 1, 1992; and

(ii) Take all reasonable and necessary action to obtain a building permit by October 1, 1993; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units by April 1, 1995, or within 18 months after an approved alteration permit has been obtained, whichever is later. The owner may, alternatively, elect to comply with other building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B (pursuant to M.D.L. §287) by April 1, 1995 or within 18 months after an approved alteration permit has been obtained, whichever is later; and

(iv) Take all reasonable and necessary actions to obtain a final certificate of occupancy as a class A multiple dwelling for all covered residential units by October 1, 1995, or within 6 months after achieving compliance with the fire and safety standards of Article 7-B, alternative building codes, or provisions of the M.D.L., whichever is later.

(6) Notwithstanding the provisions of subdivisions (a)(1) through (a)(5) of this section, the owner of an IMD who has not complied with the requirements of M.D.L. §284(1)(i) or (ii) by June 30, 1996 shall:

(i) File an alteration application by October 1, 1996; and

(ii) Take all reasonable and necessary action to obtain an approved alteration permit by October 1, 1997; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units by April 1, 1999 or within 18 months after obtaining an approved alteration permit, whichever is later; and

(iv) Take all reasonable and necessary action to obtain a certificate of occupancy as a class A multiple dwelling for all covered residential units by June 30, 1999, or within 3 months after achieving compliance with the fire and safety standards of Article 7-B of the M.D.L., whichever is later.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this subdivision, an owner may, pursuant to M.D.L. §287, elect to comply with other local building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B by April 1, 1999 or within 18 months after obtaining an approved alteration permit, whichever is later.

(7) Notwithstanding the provisions of subdivisions (a)(1) through (a)(6) of this section, the owner of an IMD who has not complied with the requirements of M.D.L. §284(1)(i), (ii), or (iii) by June 30, 1999 shall:

(i) File an alteration application by September 1, 1999; and

(ii) Take all reasonable and necessary actions to obtain an approved alteration permit by March 1, 2000; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units by May 1, 2002, or within 12 months after obtaining an approved alteration permit, whichever is later; and

(iv) Take all reasonable and necessary action to obtain a certificate of occupancy as a class A multiple dwelling for all covered residential units by May 31, 2002, or within 1 month after achieving compliance with the fire and safety standards of Article 7-B of the M.D.L., whichever is later.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this subdivision, an owner may, pursuant to M.D.L. §287, elect to comply with other local building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B by May 1, 2002 or within 12 months after obtaining an approved alteration permit, whichever is later.

(8) Notwithstanding the provisions of subdivisions (a)(1) through (a)(7) of this section, the owner of an IMD who has not complied with the requirements of M.D.L. §284(1)(i), (ii), (iii) or (iv) by [May 31, 2002 shall:

(i) File an alteration application by September 1, 1999; and

(ii) Take all reasonable and necessary actions to obtain an approved alteration permit by March 1, 2000; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the M.D.L. for all covered residential units by May 1, 2008, or within 12 months after obtaining an approved alteration permit, whichever is later; and

(iv) Take all reasonable and necessary action to obtain a certificate of occupancy as a class A multiple dwelling for all covered residential units by May 31, 2008, or within 1 month after achieving compliance with the fire and safety standards of Article 7-B of the M.D.L., whichever is later.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this subdivision, an owner may, pursuant to M.D.L. §287, elect to comply with other local building codes or provisions of the M.D.L. that provide alternative means of meeting the fire and safety standards of Article 7-B by May 1, 2008 or within 12 months after obtaining an approved alteration permit, whichever is later.] **June 21, 2010 must:**

(i) File an alteration application by September 1, 1999; and

(ii) Take all reasonable and necessary

action to obtain an approved alteration permit by March 1, 2000; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the MDL for all covered residential units by June 1, 2012, or within 12 months after obtaining an approved alteration permit, whichever is later; and

(iv) Take all reasonable and necessary action to obtain a final certificate of occupancy as a class A multiple dwelling for all covered residential units by July 2, 2012, or within 1 month after achieving compliance with the fire and safety standards of Article 7-B of the MDL, whichever is later.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this paragraph (1), an owner may, pursuant to MDL § 287, elect to comply with other local building codes or provisions of the MDL that provide alternative means of meeting the fire and safety standards of Article 7-B by June 1, 2012 or within 12 months after obtaining an approved alteration permit, whichever is later.

(9) 2013 amended code compliance timetable for buildings subject to Article 7-C pursuant to MDL § 281(5) as a result of the 2010 amendments to the Loft Law.

The owner of a building, structure or portion of a building or structure that is covered by MDL § 281(5) and became subject to Article 7-C pursuant to Chapter 135 or 147 of the Laws of 2010 must:

(i) File an alteration application by March 21, 2011; and

(ii) Take all reasonable and necessary actions to obtain an approved alteration permit by June 21, 2011; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the MDL for all covered residential units within 18 months after obtaining an approved alteration permit; and

(iv) Take all reasonable and necessary action to obtain a final residential certificate of occupancy for all covered units by December 21, 2012.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this paragraph (2), an owner may, pursuant to MDL § 287, elect to comply with other local building codes or provisions of the MDL that provide alternative means of meeting the fire and safety standards of Article 7-B by no later than 18 months from the issuance of the alteration permit.

(10) 2013 code compliance timetable for buildings subject to Article 7-C pursuant to MDL § 281(5) as a result of the 2013 amendments to the Loft Law.

The owner of a building, structure or portion of a building or structure that is covered by MDL § 281(5) and became subject to Article 7-C pursuant to Chapter 4 of the Laws of 2013 must:

(i) File an alteration application on or before April 30, 2014; and

(ii) Take all reasonable and necessary actions to obtain an approved alteration permit on or before July 30, 2014; and

(iii) Achieve compliance with the fire and safety standards of Article 7-B of the MDL for all covered residential units on or before January 30, 2015 obtaining an approved alteration permit; and

(iv) Take all reasonable and necessary action to obtain a final residential certificate of occupancy on or before January 30, 2016.

(v) As an alternative to complying with the requirements of subparagraph (iii) of this paragraph (2), an owner may, pursuant to MDL § 287, elect to comply with other local building codes or provisions of the MDL that provide alternative means of meeting the fire and safety standards of Article 7-B by no later than 18 months after the obtaining an alteration permit.

(b) Extensions of time to comply with the amended code compliance timetable.

(1) *Extensions of current deadlines.*

Pursuant to [M.D.L.] MDL § 284(1), an owner of an IMD building may apply to the Loft Board for an extension of time to comply with the code compliance deadlines [set forth] provided in MDL § 284 [of the Multiple Dwelling Law, as] in effect on the date of the filing of the extension application.

[An application for an extension shall not be filed after the deadline for which an extension is sought has passed, except that where title to the IMD was conveyed to a new owner, within 90 days after acquisition of title, such new owner may file an application for an extension of time of up to one (1) year to comply with the most recently passed deadline. "New Owner" shall be defined as an unrelated entity or unrelated natural person(s) to whom ownership interest is conveyed for

a bona fide business purpose and not for the purpose of evading code compliance deadlines of the Multiple Dwelling Law. The Executive Director shall make a determination of whether an applicant qualifies as a "new owner." The Executive Director may request documentation or other appropriate information to substantiate that an applicant is a "new owner."]

An application for an extension must be filed before the deadline for which an extension is sought, except as provided in (i) through (iv) below:

(i) Where title to the IMD was conveyed to a "new owner" after the code compliance deadline has passed, the new owner may file an extension application for the passed deadline within 90 calendar days from acquiring title. For the purposes of this paragraph, "new owner" is defined as an unrelated entity or unrelated natural person(s) to whom ownership interest is conveyed for a bona fide business purpose and not for the purpose of evading the code compliance deadlines of the MDL or any other law. Prior to making a determination, the Executive Director may request additional information relevant to the extension application including, but not limited to, information regarding the applicant's claim to be a new owner as defined in this paragraph.

(ii) Where the IMD is found to be covered under Article 7-C or registered as an IMD after the code compliance deadline has passed, the owner may file an extension application for the passed code compliance deadline within 90 calendar days after either a finding of Article 7-C coverage by the issuance of a Loft Board order, a court of competent jurisdiction or the issuance of an IMD registration number, whichever is first. If an owner appeals a finding of Article 7-C coverage, the owner may file an extension application 90 calendar days after the final determination of the appeal.

(iii) Where the owner of an IMD covered under Article 7-C pursuant to MDL § 281(5) requires an extension of the code compliance deadline provided in MDL § 284(1)(vi)(D) and § 2-01(a)(9)(iv) of these Rules and was not able to file an extension application prior to the deadline because such deadline was shortened from June 21, 2013 to December 21, 2012 by Chapter 4 of the Laws of 2013, the owner may file an extension application within 60 days after the effective date of this amended rule.

(iv) The IMD owner described in (i) and (ii) above may file an application for an extension of time of up to 1 year to comply with the most recently passed deadline.

(2) *Statutory standard.*

(i) The [Loft Board] Executive Director will grant an extension of the code compliance deadlines in MDL § 284(1)(ii), (iii), (iv), (v) or (vi) [pursuant to this subdivision] only where an owner has demonstrated that it has met the statutory standards for such an extension, namely, that the necessity for the extension arises from conditions or circumstances beyond the owner's control, and that the owner has made good faith efforts to meet the code compliance timetable requirements. Examples of such conditions or circumstances beyond the owner's control include, but are not limited to, a requirement for a certificate of appropriateness for modification of a landmarked building, a need to obtain a variance from the Board of Standards and Appeals or the denial of reasonable access to an IMD unit.

In the case of an IMD owner described in § 2-01(b)(1)(i) and § 2-01(b)(1)(ii) above, the Executive Director may consider any action the owner has taken from the date that the title transferred to the new owner, or from the date of the determination of Article 7-C coverage, up to the date the owner filed the extension application when making a determination of whether the owner has exercised good faith efforts to satisfy the requirements.

The existence of conditions or circumstances beyond the owner's control and good faith efforts must be demonstrated in the application by the submission of corroborating evidence.[,for] For example, copies of documents from the Landmarks Commission or the Board of Standards and Appeals, or an architect's statement[.], may be filed with the extension application to show the existence of conditions or circumstances beyond the owner's control and good faith efforts. Proof of the date that the title was transferred to the owner or proof of when the building was deemed covered under Article 7-C should be submitted with the application. Failure to include [such] corroborating evidence in the application [shall] may be grounds for denial of the application without further consideration.

(ii) Pursuant to MDL §§ 284(1)(i) and 284(1)(vi), upon proof of compliance with Article 7-B, the Executive Director may twice extend the deadline for obtaining a final certificate of occupancy issued pursuant to MDL § 301, for a period of up to twelve months each, upon proper showing of good cause.

(3) *Administrative Determination on the Extension Application*

The owner of an IMD may apply to the Loft Board's Executive Director for an extension to comply with the amended code compliance timetable. The Loft Board's Executive Director will promptly decide each application for an extension. Where the Loft Board's Executive Director determines that the owner has met the statutory standards for an extension, the Executive Director shall grant the minimum extension required by the IMD owner. Applications for extensions of code compliance deadlines will be limited to one extension per deadline in the amended code compliance timetable.

The Executive Director's administrative determination [shall] will be mailed to the owner and to the affected parties identified in the application submitted pursuant to paragraph (4) of this subdivision below, and [shall] may be [subject to review by] appealed to the Loft Board upon application by such owner or affected party.

[An application for review of such determination shall be timely if filed within 20 days after the date of mailing.] Applications for extensions pursuant to this subparagraph shall be limited to one per deadline in the amended code compliance timetable. An appeal of the administrative determination must be filed in accordance with § 1-07.1 of these rules.

(4) Form of application, filing requirements and [tenant]occupant responses.

(i) An extension application filed pursuant to this subdivision (b) of § 2-01 [shall] must be filed on the approved form [prescribed by the Loft Board] and [shall] must meet the requirements of this subdivision, and §§ 1-06 and 2-11 of these rules except as provided in this paragraph. An application for an extension must include a list of all residential IMD units in the building and must specify a date to which the applicant seeks to have the deadline extended. Failure to so specify in the application shall be grounds for dismissal of the application without prejudice. [Applications must include a list of all residential IMD units in the building.]

[Applications filed pursuant to paragraph (3) of this subdivision must be filed with the Loft Board along with two copies.] (ii) The original extension application and 2 copies must be filed with the Loft Board. Prior to filing an extension application [pursuant to paragraph (3)] with the Loft Board, an owner shall serve a copy of [such] the extension application upon [each] the occupant of [an] each IMD unit in the building in the manner described in [Title 29 of the Rules of the City of New York] § 1-06(b) of these rules. Any occupant of an IMD unit [in the building] may file an answer to such application with the Loft Board within 20 calendar days from [completion of service] the date service of the application is deemed complete, as determined below in subparagraph (iv) [by owner].

(iii) The occupant(s) of an IMD unit [shall] must serve a copy of [such] the answer upon the owner prior to filing the answer with the Loft Board. [Service pursuant to this subdivision may be by first class mail, or by any method permitted by Article 3 of the New York Civil Practice Law and Rules.] Each [application and] answer filed with the Loft Board [shall] must include, at the time of filing, proof of [such] service in the manner described in § 1-06(d) and (e) of the Loft Board rules.

(iv) Service of the application by mail [shall be] is deemed completed five calendar days following mailing. [If service of the application is performed in any manner other than mailing, service shall be deemed completed on the date the application is served.] While an application filed under this subdivision is pending, an owner may amend [such] the application one time to request a longer extension period than was originally sought in the application.

(c) Violations of the code compliance timetable.

(1) The Loft Board, on its own initiative or in response to complaints, may commence a proceeding to determine whether an owner has violated the provisions of § 284(1) of the MDL or these code compliance rules. In addition, a residential occupant of an IMD building may [make] file with the Loft Board an application seeking a Loft Board determination on whether the owner of the occupant's building is in violation of the provisions of § 284(1) of the MDL or these code compliance rules.

(2) An owner who is found by the Loft Board to have violated the code compliance [timetable] timetables set forth in MDL § 284(1) or any provision of § 2-01(a) of these rules; (i) may be subject to a civil penalty [not to exceed \$1,000 for each violation as prescribed by the Loft Board] in accordance with § 2-11.1 of the Loft Board rules for each missed deadline; (ii) may be subject to all penalties [set forth] provided in Article 8 of the [M.D.L.] MDL; (iii) may be subject to the penalties set forth in Chapter 1 of Title 26 and Chapter 1 of Title 27 of the Administrative Code; and (iv) and (iii) may be subject to a specific performance proceeding as [set forth] as provided in [subparagraph] paragraph (4) below.

(3) Upon demonstration by an owner of insufficient funds to proceed with code compliance, the Loft Board [shall] may consider the lack of sufficient funds in mitigation of any fine to be imposed against the owner upon a finding of noncompliance. To obtain the benefit of the defense of insufficient funds, an owner [shall] must supply the Loft Board with an income and expense statement for the building verified by an independent certified public accountant, a written estimate of the cost of compliance with the cited deadline or requirement from a registered architect, [and if the building does not provide sufficient funds for purposes of compliance] If the funds generated by the building are not sufficient to cover the costs of the necessary compliance work, [then] the owner [shall] must also supply a letter from two separate banks or mortgage brokers refusing to offer sufficient funds to comply, accompanied by copies of the owner's applications for such funds, or if the lenders refuse to provide a written rejection, then the owner shall file an affidavit setting forth the basis for the owner's belief that the applications have been rejected.

(4) If the Loft Board finds an owner in violation of the code compliance timetable set forth in MDL § 284(1) and § 2-01(a) of these rules, the Loft Board or any three occupants of separate, covered residential units in the building may apply to a court of competent jurisdiction for an order of specific performance directing the owner to satisfy all code compliance requirements set forth in this section.

(5) The owner of an IMD who is found by the Loft Board to have [wilfully] willfully violated the code compliance

timetable of these regulations or to have violated the code compliance timetable more than once may be found [guilty of harassment] to have harassed occupants with respect to such IMD in a harassment proceeding before the Loft Board.

(6) If any residential occupant of an IMD building is required to vacate its unit as a result of a municipal vacate order that has been issued for hazardous conditions as a consequence of an owner's unlawful failure to comply with the code compliance timetable:

(i) The occupant, at its option, [shall] will be entitled to recover from the owner the fair market value of any improvements made or purchased by the occupant and [shall] will be entitled to reasonable moving costs incurred in vacating the unit. All such transactions shall be fully in accordance with § 2-07 of the Loft Board rules [and regulations] regarding Sales of Improvements. These rights are in addition to any other remedies the occupant may have.

(ii) Any municipal vacate order shall be deemed an order to the owner to correct the noncompliant conditions, subject to the provisions of Article 7-C. The issuance of such an order as a result of the owner's unlawful failure to comply with the code compliance timetable shall result in a rebuttable presumption of harassment in a harassment proceeding brought by an occupant or occupants before the Loft Board.

(iii) When the owner has corrected the noncompliant conditions, the occupants [shall] will have the right to reoccupy the unit and [shall] will be entitled to all applicable [tenant] occupant protections of Article 7-C, including the right to reoccupy the unit at the same rent paid prior to the vacancy period plus any rental adjustments authorized by Article 7-C or the Loft Board [pursuant to its] rules [and regulations]. Furthermore, the occupant [shall] will be entitled to recover from the owner reasonable moving costs incurred in reoccupying the unit in accordance with § 2-07 of the Loft Board rules [and regulations] regarding Sales of Improvements.

(iv) At no time [shall] may rent for the unit be due or collectible for such period of vacancy.

(d) Procedure for occupant review of [plans] narrative statement and legalization plan, resolution of occupant objections, and certification of estimated future rent adjustments.

(1) Notice: form and time requirements.

(i) All notices, requests, responses and stipulations served by owners and occupants directly upon each other shall be in writing, with a copy delivered or mailed to the Loft Board, accompanied by proof of service, within five calendar days of delivery, if service was made personally, or within five calendar days of mailing if service was performed by mail. Service of a notice, request, response or stipulation by the parties shall be effected either:

- (A) [by] By personal delivery or
- (B) [by] By certified or registered mail, return receipt requested, with an additional copy sent by regular mail.

Proof of service [shall] must be in the form of: a) a verified statement [of] by the person who effected service, setting forth the time, place and other details of service, if service was made personally, or b) by copies of the return receipt or the certified or registered mail receipt stamped by the United States Post Office, and verified statement of mailing, if service was performed by mail. Communications by the Loft Board pursuant to these [regulations] rules will be sent by regular mail.

Service [shall be] is deemed effective [upon] on the date of personal delivery or five calendar days following service by mail. Deadlines provided herein are to be calculated from the effective date of service.

(ii) Modifications on consent, change of address. Applications, notices, requests, responses and stipulations may be withdrawn and disputes may be resolved, by written agreement of the parties, subject to Loft Board approval. Parties may change their addresses upon service of written notice to the other parties and the Loft Board, and such notice [shall be] is effective upon personal delivery or five calendar days following service by mail.

(2) Procedure for occupant review of the [plans] narrative statement and legalization plan and resolutions of occupant objections.

(i) Buildings not covered under MDL § 281(5). This paragraph (2) shall apply to IMD's for which a building permit for achieving compliance with the fire and safety standards of Article 7-B, alternative building codes or provisions of the M.D.L. has not been issued as of October 23, 1985, the date of adoption of these regulations. In the case of a building permit that has been issued as of October 23, 1985 and that remains in effect or is renewed, an owner who thereafter requests reinstatement of the underlying alteration application [pursuant to Department of Buildings ("D.O.B.") Directive No. 17 of 1971] shall be required to comply with all provisions of this paragraph (2) with respect to all work yet to be performed as of the date that

reinstatement is requested.

This paragraph (2) shall apply where an owner is required to amend an alteration application to reflect grandfathering approval of additional units pursuant to §§ 2-01(a)(1)(ii)(B), (iii)(B), (v)(B), or (vi)(B), or where an owner is required to amend an alteration application to reflect the coverage of additional units under M.D.L. § 281(4); however, if the proposed work is to be performed solely within the additional unit(s), this paragraph (2) shall only apply to the occupant(s) of such unit(s).

This paragraph (2) shall not apply to IMD's for which a building permit for achieving compliance with Article 7-B, alternative building codes or provisions of the M.D.L. has already been issued and is in effect as of the date of adoption of these regulations, and which remains in effect or is renewed without reinstatement of the underlying alteration application until such compliance is achieved. However, an occupant of such an IMD may file an application with the Loft Board based on the grounds that the scope of the work approved under the alteration application for which the permit was issued constitutes an unreasonable interference with the occupant's use of its unit in accordance with the provisions of § 2-01(h) of these regulations.

This paragraph (2) also shall not apply to those units in IMD's for which a temporary or final [permanent] certificate of occupancy as a class A multiple dwelling has been issued and is in effect as of the date of adoption of these regulations.

(ii) For buildings covered under MDL § 281(5) as a result of the 2010 amendments to the Loft Law. The requirements of § 2-01(d)(2) ("paragraph (2)") apply to an IMD covered by MDL § 281(5) that became subject to Article 7-C pursuant Chapter 135 or 147 of the Laws of 2010 as follows:

(A) Paragraph (2) does not apply to those units for which a building permit for achieving compliance with the fire and safety standards of Article 7-B, alternative building codes, or provisions of the MDL that provide alternative means of meeting the fire and safety standards of Article 7-B has been issued on or before June 21, 2010, and which remains in effect or is renewed without reinstatement or amendment of the underlying alteration application and legalization plan until the final certificate of occupancy is obtained.

(B) If a building permit has been issued prior to June 21, 2010 and the owner thereafter files for reinstatement of the underlying alteration application and legalization plan related to any part of the building or files for an amendment to the underlying alteration application and legalization plan, the owner will be required to comply with all provisions of paragraph (2) with respect to all work in the alteration application and legalization plan yet to be performed as of the date of the reinstatement or with respect to the proposed work in the amendment.

(C) If, prior to June 21, 2010, the building was already registered as an IMD because other units in the building are covered by Article 7-C pursuant to MDL §§ 281(1) or (4); the building had an alteration permit in effect on June 21, 2010; and the proposed work is solely within the additional unit(s) covered under MDL § 281(5) ("additional unit(s)"), paragraph (2) only applies to the occupant(s) of the additional unit(s).

(D) Paragraph (2) does not apply to those units for which a temporary certificate of occupancy is in effect as of June 21, 2010 and which remains in effect or is renewed without reinstatement or amendment of the underlying alteration application and legalization plan until the final certificate of occupancy is obtained.

(iii) For buildings covered under MDL § 281(5) as a result of the 2013 amendments to the Loft Law. The requirements of § 2-01(d)(2) ("paragraph (2)") apply to an IMD covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapter 4 of the Laws of 2013 as follows:

(A) Paragraph (2) does not apply to those units for which a building permit for achieving compliance with the fire and safety standards of Article 7-B, alternative building codes, or provisions of the MDL that provide alternative means of meeting the fire and safety standards of Article 7-B, has been issued on or before June 1, 2012, and which remains in effect or is renewed without reinstatement or amendment of the underlying alteration application and legalization plan until the final certificate of occupancy is obtained.

(B) If a building permit has been issued prior to June 1, 2012 and the owner thereafter files for reinstatement of the underlying alteration application and legalization plan related to any part of the building or files for an amendment to the underlying alteration application and legalization plan, the owner will be required to comply with all provisions of this paragraph (2) with respect to all work in the alteration application and legalization plan yet to be performed as of the date of the reinstatement or with respect to the proposed work in the amendment.

(C) If, prior to June 1, 2012, the building was already registered as an IMD because other units in the building are covered by Article 7-C pursuant to MDL §§ 281(1) 281(4) or 281(5); the building had an

alteration permit in effect on June 1, 2012; and the proposed work is solely within the additional unit(s) covered under MDL § 281(5) as a result of Chapter 4 of the Laws of 2013 ("additional unit(s)"), this paragraph (2) only applies to the occupant(s) of the additional unit(s).

(D) Paragraph (2) does not apply to those units for which a temporary certificate of occupancy is in effect as of June 1, 2012 and which remains in effect or is renewed without reinstatement or amendment of the underlying alteration application and legalization plan until the final certificate of occupancy is obtained.

(iv) An occupant of an IMD covered by Article 7-C pursuant to MDL § 281(5), who did not participate in the narrative statement process because § 2-01(d)(2) did not apply to the unit as described in § 2-01(d)(2)(ii)(A) or § 2-01(d)(2)(iii)(A), may file an application with the Loft Board based on the grounds that the scope of the work approved in the underlying alteration application for which the permit was issued constitutes an unreasonable interference with the occupant's use of its unit in accordance with the provisions of § 2-01(h) of these rules.

(i) (v) Narrative Statement

[Within] Except as otherwise provided in this paragraph (2), within 15 calendar days of the filing of its alteration application with DOB, [or within 30 days after the effective date of this regulation, whichever is later,] the owner of an IMD [shall] must provide all occupants with a narrative [,] statement, upon [such] the approved Loft Board form [as is prescribed by the Loft Board], describing separately for each unit, both residential and nonresidential, all the work to be performed in such unit and all of the work to be performed in common areas. The owner of an IMD covered by Article 7-C pursuant to MDL § 281(5) must provide occupants with the narrative statement within 15 calendar days of filing the alteration application with DOB or within 30 calendar days after the effective date of this amended rule, whichever is later.

[This] The description [shall] of work to be performed must include a listing of all noncompliant conditions, citation to the specific provisions of law or regulation that require their correction, and the work to be performed to correct them; an estimated time schedule for performance of the work; and a certification that the narrative statement is a complete and accurate statement reflecting all of the work proposed in the filed alteration application and the corresponding legalization plan, as defined in subdivision (a) of this section.

In accordance with the procedures set forth in § 2-01(d)(1), following service of [such] the narrative statement, the owner [shall] must file with the Loft Board the original narrative statement with proof of service, as required by § 2-01(d)(1)(i), two copies of its filed alteration application along with the [D.O.B.'s] DOB's acknowledgment of filing, [and] two copies of the [submitted plans] legalization plan submitted to DOB. The plan filed with the Loft Board must be no larger than 14 inches by 17 inches.

Occupants may examine the alteration application and [plans] legalization plan by appointment at the Loft Board [or at the D.O.B in accordance with the department's procedures]. An occupant may request from the owner a reproducible copy of the alteration application and [plans] legalization plan, construction specifications, if any, and the tenant [safety] protection plan described in subparagraph (ii) (vi) below, and the owner [shall] must supply such copy within 7 calendar days of service of the request. The cost of the copies of the alteration application and legalization plan are payable by the occupants up to the amount listed in § 101-03 of Title 1 of the Rules of the City of New York. [Cost to the occupant shall be \$5.00 per page for plans required by § 27-162 of the Administrative Code and \$0.25 per page for all other documents.]

[(ii) (vi) The owner [shall] must certify to the DOB [D.O.B., upon such] on the approved Loft Board form [as is prescribed by the Loft Board for this purpose,] that it has complied with the provisions of [the preceding] subparagraph [(i) (v); that it [shall] will comply with all other requirements of this paragraph (2) [of the Loft Board's regulations] and with the requirement for a tenant protection plan pursuant to New York City Administrative Code § 28-104.8.4 [safety plan pursuant to D.O.B. Directive No. 2 of 1984]; and that prior to obtaining the building permit, the owner [shall] will submit to the [department] DOB a letter from the Loft Board, certifying compliance with all requirements of § 2-01(d)(2).

[This] The owner's certification [shall] must be filed with the [D.O.B.] DOB within 5 calendar days after the owner's filing with the Loft Board pursuant to the procedures described in the preceding subparagraph [(i) (v).

[(iii) (vii) Narrative Statement Conference

Within 30 calendar days after the owner has filed [the] a complete narrative statement, as required by [§2-01(d)(2)(i)] § 2-01(d)(2)(v) the Loft Board will notify the owner and all occupants that a conference has been scheduled. [This notification shall be] The notice from the Loft Board will be sent by regular mail. This conference is for informational and conciliatory purposes. The Loft Board representative assigned to conduct the conference

[shall] outline the requirements of Article 7-B of the M.D.L., shall] may review the provisions of these code compliance [regulations] rules, including [the section] § 2-01(f), dealing with occupant participation [§2-01(f) and shall] and may address the participants' questions.

The owner or its representative will present its [proposed work plan] alteration application, narrative statement, legalization plan and the estimated time schedule for performance of the work. The occupants may raise any questions, comments or suggestions regarding the [proposed work plan] alteration application, narrative statement and legalization plan and the estimated schedule. The Loft Board representative [shall] will encourage the owner and occupants to discuss fully the [prepared plan] alteration application, narrative statement, legalization plan, and the schedule, and to reach an agreement as to the performance of code compliance work.

The Loft Board representative may authorize an additional period of time, not to exceed 21 calendar days, for the parties to negotiate an agreement. If the parties are unable to come to an agreement within the authorized time period, the remaining provisions of this paragraph (2) shall apply. Any agreement reached by the parties, including any agreement reached after the above-mentioned 21 calendar day period, must be in writing, signed by the parties, and filed with the Loft Board as provided in § 2-01(f).

With the exception of material contained in any written agreement(s) among the parties, the conference [shall] will not be electronically recorded, and the specifics or nature of communications made at the conference or in the course of negotiations during the authorized time period [shall] are not [be] admissible as evidence in any Loft Board proceedings.

Information or responses to questions provided by the Loft Board representative will be advisory only and should not be relied upon as a substitute for professional advice of lawyers, architects or engineers retained by the participants.

The conference may be scheduled in the evening. Upon the request of the owner and the occupant(s), the Loft Board [shall] may schedule a conference for any IMD unit for which § 2-01(d)(2) does not apply.

[(iv) (A) Within 45 days after the conference or, if authorized, the additional period of time described in §2-01(d)(2)(iii), any occupant may file (a) with the D.O.B. an alternate plan for work affecting the occupant's use of its unit* when the owner's proposed plan may unreasonably interfere with the occupant's use of the unit or (b) with the Loft Board an application in support of any claim that the owner's proposed plan will diminish services to which an occupant is legally entitled. In addition, if authorized by the Loft Board representative, an alternate plan may be proposed by an occupant which is not required to be filed with the D.O.B. when the occupant's claim does not require a D.O.B. review of code issues in order for the Loft Board to resolve the dispute.

* As pursuant to § 27-142 of the Administrative Code the Department of Buildings has agreed to accept such applications for filing without requiring the owner's authorization, which is an exception to its normal procedures.]

(viii) (A) Within 45 calendar days after due notice issued by the Loft Board or, if authorized, the additional period of time described in § 2-01(d)(2)(vii), any occupant:

(a) May file with the DOB an alternate plan application, including a legalization plan, for work affecting the occupant's use of its unit if the proposed work in the owner's alteration application, and legalization plan unreasonably interferes with the occupant's use of the unit and the occupant's alternate plan requires a review by DOB;

(b) May file with the DOB an alternate plan application in support of a claim that the owner's alteration application and legalization plan will diminish services to which the occupant is legally entitled; and

(c) If authorized by the Loft Board staff, may file comments with the Loft Board opposing the owner's alteration application and legalization plan on the ground that such plans unreasonably interfere with the occupant's use of the unit or diminish services to which an occupant is legally entitled, provided that the occupant's claim does not require DOB review in order for the Loft Board to resolve the dispute.

(B) If the occupant's alternate plan proposed pursuant to this subparagraph (viii) is required to be filed with the [D.O.B.] DOB because it requires DOB review, it shall be filed by a registered architect or professional engineer retained by the occupant, who [shall be] will be responsible for any required fees. [An application concerning] If the alternate plan application includes an alteration application describing plumbing work, [shall] the alteration application must be filed with the [D.O.B.] DOB by a licensed plumber retained by the occupant, who [shall be] is responsible for any

required fees. Two or more occupants may file a joint alternate plan application [setting forth] describing their alternate plan.

[Failure] The failure of an occupant to file an alternate [plans] plan application with the DOB and the Loft Board or comments with the Loft Board within the prescribed time period will constitute a waiver of an occupant's right to challenge the owner's submitted [work plan] legalization plan on the ground that it would unreasonably interfere with [such] the occupant's use of [its] the unit or constitute a diminution of services; however, late filing of an alternate [plans] plan application [shall be] is permitted if, upon application, the Loft Board or its staff by order or administrative [decision] determination [determines] finds that good cause existed for [such] the occupant's failure to file in a timely manner and if a building permit has not yet been issued.

Within 5 calendar days after filing an alternate [plans] plan application with the DOB, the [occupant(s)] occupant shall provide the owner and all other occupants with a dated narrative statement [setting forth] describing the [occupant's(s')] occupant's objections to, comments on, or criticisms of the owner's plan and any projected [increase(s)] increase in code compliance costs resulting from the [occupant's(s')] occupant's alternate plan. In accordance with the procedures [set forth] provided in § 2-01(d)(1), the [occupant(s)] shall occupant must file with the Loft Board: the original copy of [such] the occupant's narrative statement with proof of service on the owner and all other occupants, two copies of [its] the filed alternate [plans] plan application, including: [with the D.O.B.'s] the DOB's acknowledgment of filing, and two copies of the [submitted plans, if it is an alteration application] occupant's alternate plan application and legalization plan.

The owner and other occupants may review the alternate [plans] plan application, [and plans] including the legalization plan, by appointment at the [Loft Board or at the D.O.B. in accordance with the department's procedures] Loft Board's office. An owner or another occupant may request from the filing [occupant(s)] occupant a reproducible copy of the alternate plan application and [plans] legalization plan and shall be supplied with such copy within 7 calendar days after service of the request. [Cost to the requesting party shall be \$5.00 per page for plans required by §27-162 of the Administrative Code and \$0.25 per page for all other documents.] The cost to the requesting party is the fee listed in Title 1 of the Rules of the City of New York § 101-03.

[(v) The D.O.B. shall review the owner's alteration application and plan and any alternate application(s) and plan(s) submitted by occupant(s) of the building. The D.O.B. may issue objections pursuant to its usual procedures. The occupant(s) through its (their) architect(s) or engineer(s), shall] (ix) If the DOB issues objections to an alternate plan application submitted by any occupant of the building, the occupant, through his or her architect or engineer, must take all necessary and reasonable actions to cure such objections within 45 calendar days of notice of objections from the [D.O.B.] DOB.

The owner, through its architect or engineer, [shall] must take all necessary and reasonable actions to cure [such] the DOB objections within 60 calendar days of notice of objections from the [D.O.B.] DOB for its alteration application and legalization plan. [An applicant's] The failure to take all necessary and reasonable actions to cure [such] the objections within the prescribed time period may subject the [applicant] the owner to [civil penalties of up to \$1,000] fines in accordance with §§ 2-01.1 and 2-11.1 to be imposed by the Loft Board or the Environmental Control Board, if designated by the Loft Board, for failure to comply with these [regulations] rules.

If the occupant's opposition to the owner's plan does not require DOB review, the occupant must serve the owner and the other occupants with the comments describing how the owner's plan will unreasonably interfere with the occupant's use of the unit or how it will result in a diminution of services to which the occupant is entitled. The occupant's comments must be filed with the Loft Board within 45 days of the Loft Board's notice, unless extended pursuant to § 2-01(d)(2)(vii). Proof of service to the owner and the other occupants must be attached to the filing of the comments with the Loft Board.

[(vi) (x) Amendments to Legalization Plan Prior to Loft Board's Certification.

If [amendments to the plans] the owner amends the legalization plan initially submitted to the Loft Board, [are made, the applicant shall] the owner must file two copies of any amended plans with the Loft Board, along with a detailed amendment to the narrative statement listing the changes. Proof of service of the narrative statement on all of the occupants of the building and copies [shall] must be supplied upon request in accordance with the procedures described in [paragraphs (2) and (4)] subparagraphs (i) and (v) above.

Within 40 calendar days of [service by the Loft Board of] the Loft Board's notice of the revised [plans] plan, any [occupant(s)] occupant who has [(have)] not previously done so, may file with the [D.O.B.] DOB an alternate plan application for work affecting the [occupant's(s')] occupant's use of [its (their) unit(s)] the unit, if DOB review is required or may file comments opposing the owner's

revised plan with the Loft Board. [Such occupant(s) shall] The occupant must comply with all the requirements of subparagraph [(iv)] (viii) above. The [occupant(s)] is (are) limited in its (their) objections] occupant may only object to only those items that represent a change from the owner's submissions previously received. The procedures for DOB review [set forth] provided in subparagraph [(v)] (ix) above shall apply.

[(vii)] (xi) Loft Board's Certification of the Legalization Plan.

(A) (a) When the DOB has no further objections to the owner's alteration application and legalization plan, and if no alternate plan application has been filed by any occupant of the [subject] building within the time period provided for [such] filing in this [regulation] rule, the Loft Board shall issue a letter certifying compliance with all requirements of § 2-01(d)(2). To receive [such] Loft Board certification, the owner [shall] must verify to the Loft Board that no revisions have been made to the legalization [plans] plan since the narrative statement conference or if the legalization plan has been revised, the owner must summarize any revisions which may have been made and include the date of the revised legalization plan.

(b) If an occupant's alternate plan application has been filed and the 45 calendar day period provided in subparagraph (ix) above for addressing objections to the occupant's alternate plan application has expired without all necessary and reasonable actions having been taken by the occupant to cure the objections, the Loft Board shall issue a letter certifying the owner's compliance with all requirements of § 2-01(d)(2). [Upon submission of such letter, the D.O.B. may approve the owner's application and plan and issue a building permit.]

(B) (a) Where the [occupant(s) have] occupant has submitted an alternate [application(s) and plan(s)] plan application and [are] is unable to agree with the owner upon the work to be performed, and the [D.O.B.] DOB has no objections to such alternate [applications and plans] plan, or if the occupant has cured such objections, the [applicant shall] occupant must advise the Loft Board [and the owner of the DOB approval of the plans] and refer [them] the alternate plan application to the Loft Board for review and resolution of the dispute [as to which application(s) and plan(s) should be approved and the work for which a building permit should be issued].

Such referral to the Loft Board will occur no sooner than 30 calendar days after notification of the removal of the last objection or of the lack of objection.

In addition, [when authorized by the Loft Board representative,] the Loft Board staff may authorize such referral [may be made] before all objections have been removed if the remaining objections do not need to be resolved in order for the Loft Board to resolve the dispute. If the owner and the [occupant(s)] occupant come to an agreement, they [shall] must immediately inform the [D.O.B.] DOB and the Loft Board [and void the abandoned application(s) and plan(s)] of the written agreement. In such case, the owner must amend the legalization plan for the IMD building to include the changes agreed upon by the parties, if any.

(b) Loft Board-Initiated Alternate Plan Dispute. If an occupant's alternate [approvable applications and plan are] plan application is referred to the Loft Board, pursuant to § 2-01(d)(2)(xi)(B)(a) above, the Loft Board shall review the plans and on its own initiative may commence a proceeding to determine whether the owner's alteration application and legalization plan would result in an unreasonable interference of the [occupant's(s')] occupant's use of [its (their) unit(s)] the unit or a diminution of service. The proceeding will be governed by the Loft Board's [regulations on Internal Board Procedures] rules.

[Parties shall] The owner and the occupants of the building will have an opportunity to submit [a written statement setting forth the basis for seeking disapproval of the alternate plan(s)] an answer. In the case of an occupant challenging the owner's legalization plan, [such] the answer [a statement shall] must include an explanation of how the owner's proposed legalization plan would result in an unreasonable interference with the occupant's use of [its] the unit or a

diminution of service.

If the Loft Board, after a fact-finding hearing, or the Executive Director, if a fact-finding hearing is not required, finds that the owner's legalization plan would result in [such] an unreasonable interference, it shall order the owner to amend its alteration application, legalization plan and corresponding narrative statement within 60 calendar days or [to authorize the final approval of plan(s)] may certify the alternate plan submitted by the [occupant(s)] occupant for the [space(s)] space involved.

A failure or refusal to comply with such an order may constitute a violation of [§§284(1)-(i)(B)] the owner's obligation to take all reasonable and necessary action to obtain an alteration permit under § 284 of Article 7-C and these [regulations] rules, and the owner may be subject to civil penalties in accordance with § 2-11.1 of these rules. [and actions initiated by the Loft Board to compel specific performance, and such other penalties as are outlined in § 2-01(c) of these regulations.] The Loft Board may also initiate an action to compel specific performance, and seek all applicable penalties authorized by the Loft Board rules or Article 7-C.

[If] If the owner has cleared all DOB objections and if the Loft Board or its Executive Director finds that the owner's [approvable] alteration application and legalization plan would not unreasonably interfere with the [occupant's(s')] occupant's use of [its (their) unit(s)] the unit, the Loft Board or its Executive Director shall issue an order or an administrative determination certifying compliance with all requirements of § 2-01(d)(2). [stating that the owner's plan may be approved by the D.O.B. and a building permit issued, and that the alternate application(s) and plan(s) be voided. Also such an order shall certify compliance with all requirements of § 2-01(d)(2).]

[(viii)] (xii) Within 10 calendar days after the issuance of a building permit by the [D.O.B.], or within 30 days after the effective date of these regulations, whichever is later, [DOB, the owner shall file a copy of the building permit with the Loft Board. In the case of an IMD subject to Article 7-C pursuant to MDL § 281(5) which has an alteration permit on July 30, 2013, the effective date of this rule, the owner must file a copy of the building permit with the Loft Board by August 29, 2013, 30 calendar days after the effective date of this rule.

(xiii) Amendments to Legalization Plan After the Loft Board's Certification of Compliance with § 2-01(d)(2).

[Furthermore, the owner shall file two copies of any subsequent amendments, including plans, to the alteration application upon which the building permit is based, within 10 days after the filing of such amendment(s) with the D.O.B.] (A) If the owner intends to amend the legalization plan certified by the Loft Board, the owner must file with the Loft Board two copies of the amended narrative statement listing the changes and the amended legalization plan within 10 days after the filing of the amendment with the DOB in accordance with (B) below.

(B) The owner must follow the procedures for notice to the residential and nonresidential occupants set forth in § 2-01(d)(1) above. If an owner amends the legalization plan and the proposed work is located within IMD space, or within the common areas of the building, the owner must serve an amended narrative statement on the occupants in accordance with the notice provisions provided in § 2-01(d)(1) above. The owner must file proof of service and the amended narrative statement and legalization plan with the Loft Board. In accordance with the requirements of § 2-01(d)(2)(viii) and within 40 calendar days from the Loft Board's notice of the owner's revised legalization plan, any occupant: 1) may file with the DOB an alternate plan application or 2) may file with the Loft Board comments opposing the work proposed in the amendment. The occupant may only object to those items that represent a change from the legalization plan certified by the Loft Board. The owner must obtain a Loft Board certification described in § 2-01(d)(2)(xi) for any amended legalization plan.

If the occupant and the owner are unable to agree to the proposed work in the amended narrative statement and legalization plan, the Loft Board must follow the procedures in § 2-01(d)(2)(xi)(B) regarding the Loft Board-initiated alternate plan dispute.

[ix] (xiv) Approval of [plans] an owner's legalization plan by the [D.O.B.] DOB pursuant to this subsection shall not be construed as approval of the construction costs [incident to construction in accordance with] for the work proposed in the [such plans] plan as necessary and reasonable costs of code compliance work for purposes of rent adjustment proceedings under [§§2-01(i) through 2-01(l) of these regulations] these rules.

(3) Procedures for certification of estimated future rent adjustments.

Following the DOB's approval of an owner's alteration application and legalization plan or an occupant's alternate [plans by the D.O.B.] plan application, an owner may apply to the Loft Board for certification of estimated future rent adjustments, based on the [owner's work plan] legalization plan and the Loft Board Schedule of Allowable Necessary and Reasonable Code Compliance Costs in the Loft Board's rules. The filing of [such] an application for estimated future rent adjustments is [, however, shall be totally] at the discretion of the owner and shall not be a basis for staying commencement or continuation of work under a valid building permit issued by the [D.O.B.] DOB.

All applications for certification of estimated future rent adjustments [shall] will be processed in accordance with § 1-06 of the Loft Board's [regulations governing Internal Board Procedures,] rules, except as provided herein. The owner [shall] must file with the Loft Board an application on a Loft Board approved form [prescribed by the Board]. The application [shall] must describe separately: [for each residential unit all of] i) the work to be performed in each residential unit; [and] ii) the work to be performed in common areas; and iii) the work to be performed in the nonresidential units; [and]. The application must include a calculation of the necessary and reasonable costs based on the Loft Board schedule and any other necessary and reasonable costs as permitted in [pursuant to §2-01(j) of these regulations] the Loft Board's rules. If the owner anticipates the use of financing, the application [shall] must also include any statements, letters of intent or commitment, or other materials from institutional or noninstitutional lenders regarding the terms or conditions of such financing. In addition, the owner [shall] must file with the Loft Board two copies of the approved alteration application and [two copies of the approved plans] legalization plan.

The owner's application [shall] must be served on all of the building's occupants by the [Loft Board] owner in accordance with the service requirements for applications set forth in [its regulations] § 1-06 of the Loft Board rules. [on Internal Board Procedures.] Occupants may review the alteration application and [plans] legalization plan at the [D.O.B.] DOB in accordance with the [Department's] DOB's procedures or by appointment at the Loft [Board] Board's office. An occupant may request from the owner a reproducible copy of the alteration application and legalization [plans] plan, and the owner [shall] must supply such a copy within 7 calendar days after service of the request at a cost to the occupant of up to the amounts listed in § 101-03 of Title 1 of the Rules of the City of New York. [\$5.00 per page for plans required by §27-162 of the Administrative Code and \$0.25 per page for all other documents.] Occupants may submit an answer to the owner's application within 20 calendar days after the date on which service of the application was completed. [(§1-06(c) of these regulations) in response to the owner's application, setting forth] The answer may list any objections, comments or suggestions regarding the calculation of necessary and reasonable costs of approved work.

The Loft Board may schedule a conference to discuss objections, comments or suggestions raised by the occupants and responses by the owner. Following such a conference, the application will be processed, and the Loft Board will [certify] issue findings on the necessary and reasonable code compliance work and [concomitant] associated costs, and the estimated future rent adjustments. [The certification] Such findings [is] will be a reasonable estimate based on available information. However, actual rent adjustments [shall] will be determined by the Loft Board in accordance with §§ 2-01(i) through 2-01(l) of these [regulations] rules.

(4) Requirement of a Letter of No Objection for Work Permits in IMD Buildings

[(A)] (i) Proposed Work in Non-IMD Spaces: An owner of an IMD building who is applying to the [New York City Department of Buildings "DOB"] DOB for [a] an alteration permit to perform work in the non-IMD spaces of such building, [(including any commercial space or residential space not covered by Article 7-C of the MDL)], must [first] provide DOB with a letter of no objection ("LONO") from the Loft Board prior to issuance of an alteration permit.

[(B)] (ii) Proposed Work in the IMD Spaces: Any request for a LONO by or on behalf of the owner for work to be performed in the IMD units [spaces] will be processed by the Loft Board as an amendment to the [building's] owner's narrative statement and the [Loft Board certified] legalization [plans] plan certified pursuant to [paragraph (2) of this subdivision] § 2-01(d)(2). The Loft Board will issue an amended certification for the revised narrative statement and legalization plan.

[(C)] (iii) Requirements to Obtain a Letter of No Objection:

[1.] (A) [In order to be granted a LONO,] Before a LONO may be granted, a building owner must demonstrate compliance with the annual registration requirements set forth in § 2-11, and all outstanding fees and fines payable to the Loft Board for the [subject] building must be paid or an arrangement for payment must be made.

[2.] (B) The LONO request [shall consist of] must include:

a. a formal request, which must

be submitted on [such form as may be prescribed by] the Loft Board approved form, if any, at the time of the request;

b. a copy of the current [month's] monthly report relating to the legalization projects in the building, in accordance with [the terms set forth in § 2-01.1(a)(ii)] the requirements of § 2-01.1(a)(1)(ii) of the Loft Board rules [herein];

c. a copy of the alteration application [(PW-1 form)] filed with the DOB;

d. a copy of the DOB objection sheet listing the only remaining DOB objection to be the requirement to obtain a LONO from the Loft Board; and

e. a [stamped] copy of the corresponding drawings[/] or plans with DOB bar code numbers filed with the DOB, on paper no larger than [11] 14 inches wide by 17 inches long.

[3.] (C) The Loft Board's staff will not consider an incomplete request for a LONO.

[4.] (D) The Loft Board's staff may request additional information or documentation, as it deems necessary in its review of the LONO request. If the owner does not respond to the Loft Board staff's request within ten (10) calendar days of the request, the request for a LONO will be deemed to be withdrawn.

[5.] (E) The Loft Board's staff may deny a LONO request for the proposed work where:

a. the owner does not have an [open] alteration application filed with the DOB to perform the legalization work [of] in the IMD spaces;

b. the Loft Board issued a certification of the legalization work in the IMD spaces pursuant to [subparagraph (vii)] § 2-01(d)(2)(xi) [of paragraph (2) of this subdivision], and the owner does not have a current permit to perform the legalization work in such IMD [spaces] units;

c. the DOB had issued a temporary certificate of occupancy for the residential portion of the subject building before the owner applied for a LONO, and the temporary certificate of occupancy expired and has not been renewed;

d. the owner's monthly reports as [set forth in § 2-01.1(a)(ii)] required in § 2-01.1(a)(1)(ii) show no advancement of legalization projects in the building. The Loft Board's staff may supplement its review of the owner's monthly reports to consider any relevant information contained in the Loft Board's files;

e. the [subject] IMD building already has a final certificate of occupancy, but the owner has not applied to the Loft Board for removal;

f. the owner applied to the Loft Board for removal of the subject building prior to filing the LONO request, but the owner has not exercised all diligent efforts to submit additional information that was requested by the Loft Board's staff for processing the removal application; or

g. any other circumstance exists that indicates to the Loft Board's staff that the owner has failed to take all reasonable and necessary action to obtain a final certificate of occupancy for the residential portions of the IMD spaces to legalize the subject building or to remove the building from the Loft Board's jurisdiction.

[6.] (F) Granting of a LONO is not a finding by the Loft Board that the owner is exercising all reasonable and necessary action toward obtaining a final certificate of occupancy for the residential portions

of the IMD [spaces] units to legalize the subject building.

[(D)] (iv) Nature of the Proposed Work. In granting a LONO request, the Loft Board staff may consider the effect the proposed work may have on the IMD [spaces] units and the protected occupants of the building. If the proposed work would (1) result in a change in the use, egress, buildings' systems, or occupancy of IMD space in the building, or (2) affect an IMD unit in which there is an active dispute or finding of harassment by the Loft Board, or (3) adversely affect any protected occupants of the IMD [spaces] units in the building, the Loft Board's staff may [decide to] conduct an informal conference with the protected occupants and the owner upon at least [fifteen (15)] 15 calendar days' notice, [to discuss the proposed work's effect on the occupants.] Service of the conference notice by the Loft Board [shall] will be sent by regular mail.

[(E)] (v) Appeal of Decision.

[1.] (A) If the Loft Board's staff denies a LONO request, the owner may appeal to the Executive Director for an administrative determination.

[2.] (B) To be considered timely, the appeal to the Executive Director must be received by the Loft Board within [fifteen (15)] 15 calendar days from the mailing date of the LONO's denial. An untimely appeal is subject to dismissal by the Executive Director. The appeal to the Executive Director must [state] include:

a. the basis for the appeal;

b. a statement that requirements for the LONO set forth in [subsection (C)] subparagraph (iii) above are true, correct and complete as of the date of the appeal;

c. a detailed report of the current status of the legalization projects; and

d. a detailed schedule of the work to be performed in connection with achieving compliance with Article 7-B of the MDL, and a projected compliance date, to the extent the building is not yet in compliance therewith.

[3.] (C) The Executive Director [shall] will issue a written determination within [thirty (30)] 30 calendar days of [its] receipt of the request.

[4.] (D) The Executive Director will not consider any incomplete appeals. Failure to file a complete appeal [shall] may result in rejection of the appeal without consideration of the issues raised.

[5.] (E) Appeals from the written determination of the Executive Director shall be governed in accordance with § 1-07.1 [herein] of these rules.

(e) Code compliance for nonconforming units.

If the [D.O.B.] DOB has issued an objection to the owner's alteration application because [a covered residential] an IMD unit cannot be brought into compliance under appropriate building codes, provisions of the [M.D.L.] MDL or the Zoning Resolution because of its size, design, or location within the building, the owner and affected occupant(s) should make every effort to reach accommodations that would permit every covered residential unit to be made code compliant.

If the owner and affected [occupant(s)] occupant are unable to reach a resolution about how to legalize the unit, either the owner or the residential occupant may apply to the Loft Board for a determination as to whether the unit can be made code compliant. In processing such an application the Loft Board may, following a hearing, or if a fact-finding hearing is not necessary, the Executive Director may:

(1) Order the owner to apply for a non-use related variance, special permit, minor modification, or administrative certification, where the granting of such an application would make compliance possible; or

(2) Order the owner to alter the unit, or to redesign residential units and common area space into a configuration that [can be legally converted] would allow the legal conversion of the unit to residential use; or

(3) [If these remedies are unavailing, remove a unit from Article 7-C Coverage if it cannot be legally converted to residential use.] Revoke the unit's Article 7-C coverage, if these remedies are unavailing.

[Such orders also shall require compliance within a specified period of time and shall require occupant cooperation in achieving compliance.] If the Executive Director or the Loft Board orders (1) or (2) above, a specific date for compliance shall be provided and the occupants will be required to cooperate to achieve code compliance in

accordance with the requirements of this section.

(f) Occupant participation in the code compliance process.

(1) The Loft Board encourages the owners and occupants of [interim multiple dwellings] IMD buildings to work together to achieve code compliance. Such cooperation may include, but is not limited to, occupants' performance of code compliance work. Owners, occupants and their representatives should make good faith efforts to communicate and cooperate with each other throughout the process so as to reduce or eliminate potential disputes during the course of code compliance. Cooperation may result in benefits to all the parties insofar as:

(i) [costs] Costs incurred by the owner may be minimized, reducing the capital the owner would have to raise and reducing the rent adjustment increases that would have to be passed along to residential occupants;

(ii) [access] Access difficulties may be minimized;

(iii) [incidents] Incidents of harassment may be eliminated or reduced;

(iv) [losses] Losses incurred by nonresidential [tenants] occupants may be eliminated or minimized; and

(v) [code] Code compliance may be achieved in a timely fashion.

(2) While occupants have no right as a matter of law to perform code compliance work, the owner and the [occupant(s)] occupant may agree voluntarily to allow such [occupant(s)] occupant to perform code compliance work or any portion thereof, within the building, to the extent permitted by applicable laws and regulations.

The owner is required to obtain the appropriate [Department of Buildings] DOB approval for all work to be performed, but where the owner and [occupant(s)] the occupant have agreed that work will be performed by the [occupant(s)] the occupant, they may also agree that the [occupant(s)] occupant [is (are) required to] will obtain [all consents and approvals prior to filing with the D.O.B. pursuant to Administrative Code §§27-142, 27-151 and 27-220] the required DOB approvals, permits, and consents in accordance with all applicable laws, codes and rules on any work so permitted.

Should the owner and the [occupant(s)] occupant agree upon performance of the code compliance work or any portion thereof by such [occupant(s)] occupant, the owner and the [occupant(s)] shall occupant must file a written [Agreement] agreement with the Loft Board [pursuant to] in accordance with the procedures set forth in § 2-01(d)(1) of these [regulations] rules. Such [Agreement shall] agreement must include:

(i) an outline specification of all work to be performed and [by whom it is to be performed] who will perform it;

(ii) a time schedule for work to be performed as well as the identification of who is to supervise all construction work;

(iii) a certification that the parties [shall] will provide all information required in the processing of applications for rent [adjustment(s)] adjustments, if any, by the Loft Board;

(iv) a certification by the owner and [occupant(s)] occupant that all work [shall] will be performed in accordance with the code compliance timetable [set forth] provided in §2-01(a) of these [regulations] rules.

Such [Agreement] agreement by the owner and the [occupant(s)] shall occupant will be consistent with the [Alteration Application and any Building Notice(s) or Plumbing Repair Slip(s)] alteration application, corresponding legalization plan certified by the Loft Board, and any other job type alteration applications, limited alteration applications (LAA), electrical work applications, elevator application (EA) or Elevator Building Notice applications (EBN) filed with the [D.O.B.] DOB and the Loft Board.

(3) If at any time after execution of the [Agreement] agreement but prior to the completion of the code compliance work, the [occupant(s)] occupant or the owner [abrogate(s)] the Agreement] rescinds the agreement, the [abrogation shall] rescission must be in writing, served upon all other parties to the [Agreement] agreement and filed with the Loft Board in accordance with the procedures provided in § 2-01(d)(1). Neither the agreement nor its [Such] abrogation will [shall not] relieve the owner of the obligation to comply with Article 7-C and these [regulations] rules. The owner and the [occupant(s)] occupant may also agree in writing, with a copy served on the Loft Board, to:

(i) [waive] Waive the procedure for occupant review of plans and resolution of occupant objections set forth in § 2-01(d)(2) of these [regulations] rules; or

(ii) [modify] Modify the procedure for notice to occupants of proposed work set forth in §§2-01(d)(2) and 2-01(g)(3) of these [regulations] rules.

Any agreement to waive the procedure for occupant review of plans must be completed on the Loft Board's approved form and must identify the relevant plan and narrative statement by date. Any other [Agreement] agreement for waiver or modification of other provisions of

these [regulations shall] rules must be submitted to the Loft Board for its approval. [No Agreement shall be approved that] The Loft Board will not give any effect to an agreement which proposes that code compliance will not be achieved or that it will be achieved after the deadlines prescribed in §§2-01(a) and 2-01(b) of these regulations § 2-01(a) and MDL § 284(1).

(4) If an owner who has agreed to allow an occupant to perform code compliance work applies to the Loft Board for an extension of time to obtain a final residential certificate of occupancy pursuant to § 2-01(b) of these rules [regulations], the owner must exercise due diligence in monitoring the timely completion of such code compliance work in order to have grounds of good cause for its inability to meet the code compliance timetable.

(g) Notice to occupants of proposed work, repairs and inspections and occupant's obligation to provide access.

(1) Unless otherwise agreed by the parties, the owner [shall] must provide all occupants with written notice of the approximate commencement date, duration and scope of all work to be performed within their units and of all common area work that may interfere with access to their units or the provision of services to their units.

The notice need not provide an exact date for the work, but must provide a range of three consecutive working days during which work to be completed in one working day will take place and a range of five consecutive working days during which work expected to require more than one consecutive working day will begin.

[Such] The access notice [shall] must be served by personal service, first class mail, registered mail [(return receipt requested)], or certified mail [(return receipt requested)], such that service is [effective] deemed completed at least [3] 5 calendar days prior to the first date in the range of days for work that may reasonably be expected to be completed within one working day and at least 10 calendar days prior to the first date in the range of days for all other work expected to require two or more consecutive working days.

(2) No later than the day preceding the first [scheduled] day [of work] in the range of work days listed on the access notice referenced in paragraph (g)(1) above, the owner [shall] must provide written notice, either confirming a specific starting date from among those specified or cancelling the scheduled work for the day or days specified. In instances where scheduled work is cancelled, it must be rescheduled in accordance with the provisions of § 2-01(g)(1) above.

[Notice under this provision shall be accomplished] The owner must deliver the second access notice personally [by personal delivery of the written notice] to the occupant or, in the occupant's absence, to a person of suitable age and discretion within the unit. If the owner or agent cannot achieve delivery to a person [as prescribed herein cannot be achieved,] as described, the owner or agent [shall] must deposit the [written statement] notice under the main entrance of the unit or, if that is not possible, [shall] must affix such notice to the main entrance of the unit.

An occupant may designate in writing another occupant within the building to receive an access notice pursuant to this § 2-01(g) provided that [such] the designee is authorized to provide reasonable access to the occupant's unit as required in such notice. Such designation [shall] must be served on the owner by (i) personal service[,] or (ii) first class mail, and registered mail [(return receipt requested)], or certified mail [(return receipt requested)].

(3) Upon appropriate notice, the building occupants [shall] must provide the owner with reasonable access to their units so that all requisite code compliance or repair work, [or] inspections and surveys as may be required for the purpose of code compliance, may be performed.

(4) Upon the failure of an occupant to provide such access, the owner may apply to the Loft Board for an order affording the owner reasonable access to the unit. Recognizing the necessity of construction work proceeding without unnecessary delays caused by administrative processing, the Loft Board will process applications for access under the following expedited procedures:

(i) The owner [shall] must serve the occupant with a copy of the owner's verified or affirmed application for access on [such] the Loft Board's form, [as prescribed by the Loft Board, and shall file twelve copies of the application at the offices of the Loft Board, along with proof that a copy of the application has been served upon the occupant.] Service on the occupant [shall] must be effected either by:

(A) personal service or

(B) certified or registered mail, return receipt requested, with an additional copy sent by regular mail.

Within 5 calendar days after delivery or service by mail on the occupant, the owner must file 5 copies of the application at the offices of the Loft Board, along with proof of service of the application upon the occupant. Proof of service is required at the time of filing the access application with the Loft Board.

(ii) The occupant [shall] must file with the Loft Board [twelve] 5 copies, including the original, of a written answer in response to the application within [ten business] 15 calendar days [of] after service of the application is deemed complete. Service is deemed complete on the date of personal service or 5 calendar days after the owner mailed the application.

(iii) (A) [If] Before the occupant [answers,] files

an answer with the Loft Board, the occupant [shall] must serve a copy of the answer on the owner by regular mail at the address designated on the application. [and shall notify both] Both owner and occupant will be notified of a hearing date, which [shall be scheduled for a date no] will not be fewer than 8 calendar days [nor] or more than 15 calendar days from the mailing of the notice. There [shall] will be no more than one adjournment per party, limited to 7 calendar days, for good cause shown. Except as provided herein, the provisions of § 1-06 [shall] apply to an application for access under this subdivision.

(B) [If] Even if the occupant fails to file an answer, the Loft Board may issue an order granting access.

(iv) A finding by the Loft Board of failure by the owner to comply with any of the notice provisions of [this section] § 2-01(g) or a finding by the Loft Board that an occupant has unreasonably withheld access [shall] may be the basis for a civil penalty [not to exceed \$1,000 for each such a finding of violation.] in accordance with § 2-11.1 of the Loft Board rules for each violation of the notice provisions, or the unreasonable denial of access to the unit.

The necessary and reasonable cost of bringing and pursuing a Loft Board access proceeding that results in a finding that a residential occupant has unreasonably withheld access, [as well as] including the labor or other costs incurred by the owner because access was unreasonably denied, may be included in the owner's application for code compliance rent adjustment as an allowable cost to be allocated to such occupant's residential unit, as provided for in § 2-01(l)(1) of these rules.

(v) The failure of an occupant to comply with a Loft Board order regarding access [shall] may be grounds for eviction of that occupant in a proceeding brought before a court of competent jurisdiction.

(h) Unreasonable interference with use.

(1) Whenever reasonably possible, work to achieve code compliance should be performed without any, including the temporary, dislocation of occupants from their units and with minimal disruption to the occupants' use of their units. The owner [shall] must take all reasonable actions to ensure that code compliance work does not unreasonably interfere with the use of any occupied unit. Arrangements should be made for each day's work to be a full day's work, to the extent possible. Scheduling of work must be done, to the extent possible, in a fashion that minimizes disruptions in the provision of essential services. Regular maintenance [shall] must be performed within the building during the construction period, except when construction renders regular maintenance impossible.

(2) After the filing of an alteration application by the owner, but before the issuance of a building permit, occupants who object to the proposed work because it will unreasonably interfere with [their] the use of their units must [bring their objections to the D.O.B.] oppose the proposed plan as provided in § 2-01(d)(2)(viii)(A). After a permit has been issued through the process described in § 2-01(d)(2), in which the occupants have had an opportunity to participate, the occupants may raise no further objections to the scope of the work approved under the permit on the grounds that it constitutes an unreasonable interference with [their] the use of their units.

(3)(i) In the case of an IMD for which a building permit for achieving code compliance with Article 7-B, alternative building codes or provisions of the M.D.L. has been issued and is in effect as of the date of adoption of these regulations, such that § 2-01(d)(2) is not applicable, an occupant of such an IMD may file an application pursuant to this subdivision (h) on the grounds that the scope of the work approved under the permit constitutes an unreasonable interference with the occupant's use of its unit. This paragraph (3)(i) is not applicable to IMD units subject to Article 7-C pursuant to MDL § 281(5).

(ii) IMD Units Subject to Article 7-C pursuant to MDL § 281(5) as a result of the 2010 amendments to the Loft Law. An occupant of an IMD unit subject to Article 7-C pursuant to MDL § 281(5) that became subject to Article 7-C pursuant to chapter 135 or 147 of the laws of 2010 may file an unreasonable interference application under this subdivision (h) if: (1) an alteration permit is in effect on June 21, 2010; (2) the occupant was not able to participate in the narrative statement process because § 2-01(d)(2) was not applicable to the IMD at the time of the issuance of the alteration permit; and (3) the scope of the work approved under the alteration permit constitutes an unreasonable interference with the occupant's use of the unit.

(iii) IMD Units Subject to Article 7-C pursuant to MDL § 281(5) as a result of the 2013 amendments to the Loft Law. An occupant of an IMD unit subject to Article 7-C pursuant to MDL § 281(5) that became subject to Article 7-C pursuant to Chapter 4 of the Laws of 2013 may file an unreasonable interference application under this subdivision (h) if: (1) an alteration permit is in effect on June 1, 2012; (2) the occupant was not able to participate in the narrative statement process because § 2-01(d)(2) was not applicable to the IMD at the time of the issuance of the alteration permit; and (3) the scope of the work approved under the alteration permit constitutes an unreasonable interference with the occupant's use of the unit.

(4) In [granting such] considering an application pursuant to

this subdivision, the Loft Board shall process the application in accordance with Loft Board [regulations on Internal Board Procedures and] rules. The Loft Board may order the owner to amend its alteration application or may recommend that the DOB revoke the permit if it finds that the proposed work unreasonably interferes with the occupant's use of the unit. If the permit is revoked by the [D.O.B.] DOB on these grounds, the occupants [shall] will have the opportunity to participate in the review of plans through the process described in § 2-01(d)(2).

(5) Unreasonable interference during the legalization process [If, in the course of performing the work, the owner or its agents] An aggrieved occupant may file an application with the Loft Board claiming an unreasonable interference with use of the unit, if, in the course of performing the code-compliance work, the owner or its agent:

(i) [engage] Engages in work [beyond that] that is outside of the scope authorized by the permit[.];

(ii) [depart] Departs significantly from the work described in the owner's narrative statement and legalization plan [or];

(iii) Departs significantly from the estimated time schedule for performance of the work as amended according to the requirements of § 2-01(d)(2) of these rules[.];

(iv) [engage] Engages in repeated or substantial violations of the notice provisions [of] provided in § 2-01(g)[.]; or

(v) [violate] Violates the provisions of the tenant [safety] protection plan[,] provided in § 2-01(d)(2)(vi).

[an occupant aggrieved by such action(s) may file an application with the Loft Board setting forth] Such application must provide the factual basis for [its] a claim that such unauthorized work, departure from the schedule, or violation of the tenant [safety] protection plan unreasonably interferes with the occupant's use of its unit.

A finding by the Loft Board [of] that the owner or its agents engaged in unreasonable interference with an occupant's use [by the owner or its agents] may result in civil penalties [of up to \$1,000] in accordance with § 2-11.1 of the Loft Board rules for each violation. A finding by the Loft Board [of] that the owner or its agents engaged in unreasonable and willful interference with an occupant's use of its IMD unit [by the owner or its agents] may result in civil penalties [of up to \$1,000] in accordance with § 2-11.1 for each violation, [and] may constitute harassment of [tenants] occupants, and may subject the owner to penalties resulting from a finding of harassment. [The] As further provided in § 2-02 of these rules, the penalties may include, but are not limited to the denial of exemptions from rent [regulations] regulation provided to an owner pursuant to § 286(6) of the [M.D.L.] MDL and Loft Board [Regulations] rules. [on Sales of Improvements may not be available in a building when an owner has been found guilty of harassment of tenants subject to regulations adopted by the Loft Board.]

§ 2. Paragraph (1) and subparagraphs (i) and (ii) of paragraph (2) of subdivision (i) of section 2-01 of Title 29 of the Rules of the City of New York are amended to read as follows:

(i) Applications for [rent guidelines board] Rent Guidelines Board ("RGB") increases and for rent adjustments based on costs of compliance.

(1) [Rent guidelines board] RGB increases.

(i) Upon issuance of a final certificate of occupancy, an owner shall be eligible for a rent adjustment based upon the percentage rent increases established by the [New York City Rent Guidelines Board (RGB)] RGB (hereinafter "**RGB Increases**"). The first [such rent increase] RGB Increase shall commence [as of] on the first day of the first month following the day an owner submits to the Loft Board a Notice of RGB [Increase(s) in the form prescribed by] Increase Filing form on the Loft Board approved form. [and each such] Each subsequent rent increase shall be effective on each one[-] or two-year anniversary of such commencement date, as applicable. [(] This one or two-year period during which a particular RGB Increase is effective is referred to herein as the "**RGB Increase Period**.")] The last RGB Increase prior to issuance of a final rent order by the Loft Board [of the final rent owner] setting the initial legal regulated rent, pursuant to § 2-01(m) of these rules, shall remain effective until expiration of the applicable RGB Increase Period.

The amount of each RGB increase shall be equal to the percentage increase applicable to one or two-year leases as established by the RGB on the date the Notice of RGB Increase Filing form is submitted to the Loft Board and on each one[-] or two-year anniversary thereafter [thereof], as applicable, and shall be applied to the maximum rent permissible under Loft Board rules as of the date the Notice of RGB Increase filing is submitted to the Loft Board.

The RGB Increase shall apply to all covered residential units, except for those units that are exempt from rent regulation under Article-7-C. [as a result of the owner's purchase of improvements or rights pursuant to M.D.L. §286(6) or §286(12), and Loft Board rules promulgated pursuant thereto.]

(ii) To obtain the [rent] RGB Increase, the owner shall submit to the Loft Board:

(A) [two] Two copies of [a] the Notice of RGB Rent Increase Filing form [on a form prescribed by the Loft Board.] and the required attachments. The [notice] Notice of RGB Increase Filing form shall contain the rent in effect, including escalations and increases [provided under M.D.L.] permitted in accordance with MDL § 286(2) or the Loft Board's rules, for each covered residential unit subject to rent regulation, [and shall be submitted with]
 (B) [a] A copy of the final residential certificate of occupancy,
 (C) [a] A copy of the individual notices as described in subparagraph (iii) of this paragraph,
 (D) The "Tenant Response Form" sent by the owner to the affected occupants, and
 (E) [an] An affidavit that such notices were sent by first class mail and certified or registered mail to each affected occupant.

(iii) The owner shall [send] mail to each affected occupant a [notice in the form prescribed by the Loft Board] an individual notice of RGB Increase form setting forth the maximum permissible rent under Loft Board rules for the unit [occupied by such occupant]. The [notice] mailing of the individual notice of RGB Increase shall also [request the occupant] include the "Tenant Response Form" with instructions for the tenant to elect RGB increases applicable to one-year or two-year leases. Such election shall be binding upon the occupant for the entire period prior to expiration of the last RGB Increase before issuance by the Loft Board of the final rent order setting the initial legal regulated rent. The failure of an occupant to make an election between RGB increases applicable to one-year or two-year leases [and return a copy of same to the Loft Board] within 45 calendar days of the mailing [thereof by the applicant] of the Notice of RGB Increase Filing shall be deemed to be an election to be governed by increases applicable to one year leases.

(iv) [If an] The occupant [disputes] may dispute the maximum permissible rent [under Loft Board rules as set forth in the aforementioned notice, such occupant shall, within the 45-day period described in subparagraph (iii) of this paragraph, notify the Loft Board and the owner, on the form provided pursuant to subparagraph (v) of this paragraph, of the amount in dispute.] set forth in the owner's Notice of RGB Increase Filing, by detailing the amount in dispute on the Tenant Response Form. The occupant must file the dispute with the Loft Board within 45 calendar days of the mailing date of the individual notice of RGB Increase, as indicated on the affidavit of service. Failure of such occupant to notify the Loft Board of a dispute within such 45-day period shall be deemed to be an acceptance by the occupant of the amount of rent claimed by the owner. The Notice of RGB Rent Increase Filing form, the individual notices and the Tenant Response Form may not be altered or re-typed. During the period prior to the resolution of the dispute, the occupant shall pay rent in [an] a sum equal to the amount [no less than the amount not] of the monthly base rent that is not in dispute plus the amount of RGB Increase based on the undisputed amount. [authorized by these rules (for) For example, if the owner claims the rent in effect is \$450 and the occupant claims it is \$400, the rent paid to the owner prior to resolution of the dispute shall be [no less than] equal to \$400 plus the applicable RGB Increase[.] based on the undisputed amount of \$400. The occupant shall pay any deficiency in one lump sum [at the time that the first rent payment is due following resolution of the dispute.] together with the first rent payment due following resolution of the dispute.

(v) [Responses from affected occupants to the Loft Board notifying the Loft Board of a dispute in the rent or of an election of the period of the RGB rent increase shall be in the form prescribed by the Loft Board, a copy of which form shall be included in the aforementioned notice from the owner to each affected occupant pursuant to subparagraph (iii) of this paragraph.]

RGB increases may also take effect in accordance with § 2-01(i)(2)(i)(B) where the Loft Board sets the initial legal regulated rent.

(2) Rent Adjustments Based on the Cost of Code Compliance [Cost of compliance increases].

- (i) (A) An owner may apply for rent adjustments based on the necessary and reasonable costs of [obtaining a residential certificate of occupancy] compliance:
 - (a) once upon certification of compliance with Article 7-B of the [M.D.L.] MDL, alternative local building codes or provisions of the [M.D.L.] MDL by a registered architect or a professional engineer licensed in the State of New York or upon issuance of a temporary residential certificate of occupancy, or
 - (b) once upon issuance of a final residential certificate of occupancy, or both.

(B) Notwithstanding any other provision of this title and in addition to any rights afforded to owners or tenants under this section, in accordance with MDL § 286(3), if an owner applies for a rent adjustment based on the code compliance costs for compliance with Article 7-B of the MDL and the Loft Board approves of such compliance, the Loft Board shall set the initial legal regulated rent, and each residential occupant qualified for protection pursuant to Article 7-C shall be offered a residential lease subject to the provisions regarding evictions and regulation of rent set forth in the Emergency Tenant Protection Act of 1974, except to the extent the provisions of Article 7-C are inconsistent with such act. If the initial legal regulated rent has been set based upon Article 7-B compliance only, a further adjustment may be obtained upon the obtaining of a residential certificate of occupancy.

(C) Except as set forth in this paragraph, the rent adjustment application based on code compliance costs filed with the Loft Board for IMD units covered under Article 7-C pursuant to MDL § 281(1), [The application] may include those necessary and reasonable code compliance costs incurred prior to June 21, 1982 for which the residential occupants have not either reimbursed or [are not in the process of reimbursing] begun to reimburse the owner. [In the course of the processing of the application, the] A residential [occupant(s)] occupant who [claim(s)] claims that reimbursement has been or is being made for such costs shall be required to present satisfactory proof of such reimbursement to the Loft Board.

[Rent] (D) Except as provided in this subparagraph, rent adjustments shall be allowed [both] for necessary and reasonable code compliance costs incurred by an owner in obtaining the building permit under which code compliance work is performed and for necessary and reasonable costs incurred for code compliance work performed after the issuance of such a permit.

(a) Limitations of Rent Adjustments Based on Costs of Compliance.

1. An owner who has failed to register its building as an IMD:
 - (i) on or before December 1, 1985, in the case of a building covered by Article 7-C pursuant to MDL § 281(1) or,
 - (ii) [in the case of a building which is an IMD solely pursuant to M.D.L. §281(4), an owner who has failed to register its building as an IMD] on or before February 11, 1993, in the case of a building which is covered by Article 7-C solely pursuant to M.D.L. § 281(4) or,
 - (iii) on or before July 30, 2013, the effective date of the rule, in the case of a building covered by Article 7-C pursuant to MDL § 281(5), shall be allowed rent adjustments only for necessary and reasonable code compliance costs incurred after registration.
2. An owner who fails to register its building as an IMD:
 - (i) on or before March 1, 1986, in the case of a building covered by Article 7-C pursuant to MDL § 281(1) or,
 - (ii) [in the case of a building which is an IMD solely pursuant to M.D.L. §281(4), an owner who fails to register its building as an IMD] on or before May 11, 1993, in the case of a building which is covered by Article 7-C solely pursuant to M.D.L. § 281(4) or,
 - (iii) on or before October 30, 2013, three months after the effective of the rule, in the case of a building covered by Article 7-C pursuant to MDL § 281(5), shall be allowed only the necessary and reasonable code compliance costs incurred after registration, and such costs shall be based upon the schedule [in effect on the effective date of these

regulations,] of costs referenced in subdivision (p) below, without indexing, regardless of when such costs were incurred.

- (ii) An application filed pursuant to this paragraph (2) of §2-01(i) shall be filed no later than [within] nine months after the owner has obtained a certificate of occupancy or February 1, 2000, whichever date is later. An owner that fails to file an application for code compliance rent adjustments in a timely manner pursuant to this provision shall be deemed to have waived its right to seek such a rent adjustment. An application submitted pursuant to this paragraph shall be submitted on a form prescribed by the Loft Board and shall meet the requirements of this paragraph and §§1-06 and 2-11 of these rules, except that for applications filed pursuant to clause (A) of subparagraph (iii) of this paragraph, only two copies must be filed plus one for each affected party, and for precertified applications filed pursuant to clause (B) of subparagraph (iii) of this paragraph, only two copies of the application must be filed. As part of the application the applicant must submit an itemized statement of costs incurred, including paid bills, cancelled checks or receipts for work performed, any construction contracts, the certificate issued by the Department of Buildings for the pertinent level of compliance, and such other information or materials as the Board requires. If the applicant seeks reimbursement for interest and service charges incurred in connection with compliance costs, the applicant must submit the information and materials required under paragraph (4) of §2-01(k) of these rules. In accordance with the provision of §1-06(j)(1), the Board may require the applicant to furnish such reports and information as it may require concerning the code compliance work performed and may audit the books and records of the applicant with respect to such matters.

§ 3. Paragraph (1) of subdivision (m) of section 2-01 of Title 29 of the Rules of the City of New York is amended to read as follows:

(1) Following the calculation of code compliance rent adjustments [pursuant to §2-01(i)(2)(ii)] or the waiver of an owner's right to such rent adjustments pursuant to §2-01(i)(2)(ii), the Loft Board shall set the initial legal regulated rent for all covered residential units remaining subject to rent regulation under M.D.L. Article 7-C.

§ 4. Paragraph (2) of subdivision (a) of section 2-03 of the rules of the city of New York is amended by adding two subparagraphs (iv) and (v), respectively, to read as follows:

(iv) Notwithstanding any provisions of subparagraphs (i), (ii) and (iii) of this paragraph (2), applications for a hardship exemption regarding interim multiple dwellings covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapter 135 or 147 of the Laws of 2010 must be filed on or before March 21, 2011, in accordance with MDL § 285(2).

(v) Notwithstanding any provisions of subparagraphs (i), (ii), (iii) and (iv) of this paragraph (2), applications for a hardship exemption regarding interim multiple dwellings covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapter 4 of the Laws of 2013 must be filed on or before April 30, 2014, in accordance with MDL § 285(2).

§ 5. Subparagraph (ii) of paragraph (3) of subdivision (a) of section 2-03 of the rules of the city of New York are amended to read as follows:

(ii) (A) The application shall be in a form acceptable to the Loft Board and shall be consistent with the requirements of these regulations, the Board's regulations relating to applications to the Board, [(regulations for Internal Procedures—]§§1-06(a) to (j), and fees, §2-11. The applicant must: (a) indicate the basis for the application, (b) identify the residential units for which exemption is sought, and (c) state the specific claims for exemption for the building or portion of the building.

(B) Deadlines for Interim Multiple Dwellings Subject to Article 7-C Pursuant to MDL § 281(1). The applicant must provide all information necessary or appropriate by no later than October 31, 1983 in order for the application to be considered. An additional time period of no more than sixty days for the submission of all required documentation in support of the completed application may be requested and will be granted if good cause is shown. [The applicant must indicate the basis for the application, the residential units for which exemption is being applied for, and the specific claims for exemption being made. In addition, supporting data must be provided with the application whenever necessary or appropriate to fully set forth to explain the basis for the application.] Where an applicant is unable to file all necessary and appropriate information by October 31, 1983, due to the absence of legalization regulations, but has filed submissions and paid the filing fee such applicant may request additional time to provide all necessary and appropriate information within 30 days of the effective date or legalization regulations adopted by the Loft Board.

(C) Deadlines for Interim Multiple Dwellings Subject to Article 7-C Pursuant to MDL § 281(4). Notwithstanding the foregoing, an applicant who timely filed his application on or before April 27, 1988 for a hardship exemption involving an interim multiple dwelling subject to coverage under Article 7-C pursuant to MDL § 281(4) must provide all additional information necessary or appropriate in support of such application on or before February 21, 1993.

(D) Deadlines for Interim Multiple Dwellings Subject to Article 7-C Pursuant to MDL § 281(5). Notwithstanding the foregoing, an applicant who timely filed its hardship exemption application involving an interim multiple dwelling subject to coverage under Article 7-C pursuant to MDL § 281(5) must provide information to substantiate the hardship exemption claim at the time of filing, except as provided § 2-03(a)(3)(iii).

§ 6. Subparagraph (i) of paragraph (1) of subdivision (b) of section 2-03 of the rules of the city of New York is amended to read as follows:

(i) *Adverse impact*. Compliance would cause an unreasonably adverse impact on a non-residential conforming use occupant existing on:

- (A) June 21, 1982 [within the] for a building subject to coverage under Article 7-C pursuant to MDL § 281(1), [or]
- (B) [compliance would cause an unreasonable adverse impact on a non-residential conforming use occupant existing on] July 27, 1987 for a building which is subject to coverage under Article 7-C pursuant to MDL § 281(4)[.],
- (C) June 21, 2010 for an IMD covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapters 135 or 147 of the Laws of 2010, or
- (D) June 1, 2012 for an IMD covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapter 4 of the Laws of 2013.

§ 7. The introductory language in subparagraph (i) of paragraph (2) of subdivision (b) section 2-03 of the rules of the City of New York is amended to read as follows:

(i) *Adverse impact*. The test for unreasonably adverse impact on a non-residential conforming use occupant existing on the applicable date referenced in § 2-03(b)(1)(i) [June 21, 1982 or on July 27, 1987 for a building subject to coverage under Article 7-C pursuant to MDL § 281(4),] shall be whether legal residential conversion would necessitate displacement of such occupant. An owner making a claim on this basis will be required to produce as part of the application, evidence to substantiate the claim. Displacement of non-residential conforming use occupants may include instances where:

§ 8. Clause (D) of subparagraph (ii) of paragraph (2) of subdivision (b) section 2-03 of the rules of the City of New York is amended to read as follows:

(D) (a) No application shall be approved unless the owner's equity in such building exceeds five percent of:

- (1) the arms length purchase price of the property;
 - (2) the cost of any capital improvements for which the owner has not collected or will not collect a surcharge;
 - (3) any repayment of principal of any mortgage or loan used to finance the purchase of the property or, any capital improvements for which the owner has not collected or will not collect a surcharge; and
 - (4) any increase in the equalized assessed value of the property which occurred subsequent to the first valuation of the property after purchase by the owner.
- (b) For the purposes of this paragraph, owner's equity shall mean the sum of: (1) the purchase price of the property less the principal of any mortgage or loan used to finance the purchase of the property,
- (2) the cost of any capital improvement for which the owner has not collected or will not collect a surcharge less the principal of any mortgage or loan used to finance said improvement,
 - (3) any repayment of the principal of any mortgage or loan used to finance the purchase of the property or any capital improvement for which the owner has not collected or will not collect a surcharge, and
 - (4) any increase in the equalized assessed value of the property which occurred subsequent to the first valuation of the property after purchase by the owner.

(E) An owner of a building subject to Article 7-C pursuant to MDL § 281(1) making a hardship exemption claim based on infeasibility [claim on this basis] will be required to produce, as part of the application, evidence, subject to audit, based on a representative consecutive 12 month period beginning no earlier than January 1, 1982, or, for a building subject to coverage under Article 7-C pursuant to MDL § 281(4), no earlier than January 1, 1987, of the current net annual return for the building and the projected net annual return following legalization including, but not limited to, current and projected earned income, operating expenses and equity information.

(F) In order to bring a hardship exemption claim based on infeasibility, the owner of an interim multiple dwelling covered by MDL § 281(5) that became subject to Article 7-C pursuant to Chapters 135 or 147 of the Laws of 2010 must include in the application evidence, subject to audit, of the current net annual return for the building and the projected net annual return following legalization including, but not limited to, current and projected earned income, operating expenses and equity information. Such evidence must be based on a consecutive 12 month period beginning no earlier than January 1, 2010.

(G) In order to bring a hardship exemption claim based on infeasibility, the owner of an interim multiple dwelling covered by MDL § 281(5) that became subject to Article 7-C

pursuant to Chapter 4 of the Laws of 2013 must include in the application evidence, subject to audit, of the current net annual return for the building and the projected net annual return following legalization including, but not limited to, current and projected earned income, operating expenses and equity information. Such evidence must be based on a consecutive 12 month period beginning no earlier than January 1, 2012.

(H) Inability to make a reasonable return on investment may include situations where the necessary and reasonable costs of compliance will cause residential units to rent at above prevailing market levels.

§ 9. Clauses (D) and (F) of subparagraph (iii) of paragraph (4) of subdivision (a) of section 2-08 of title 29 of the rules of the city of New York are amended to read as follows:

- (D) contain at least [550] 400 square feet in area;
- (F) not be located in the same building that contained, as of June 21, 2010, and continuing at the time of the submission of an application for coverage by any party, a use actively and currently pursued that is determined by the Loft Board to be inherently incompatible with residential use, as defined in § 2-08(k) of these rules.

§ 10. Paragraph (1) and subparagraphs (i) and (ii) of paragraph (2) of subdivision (b) of section 2-08 of title 29 of the rules of the city of New York is amended to read as follows:

(b) Certificate of occupancy.

(1) Registration as an IMD shall not be required of any building, structure or portion thereof for which a final residential certificate of occupancy was issued pursuant to MDL § 301 prior to: (i) June 21, 1982, for buildings, structures, or portions thereof seeking coverage under Article 7-C solely pursuant to MDL § 281(1); (ii) July 27, 1987, for buildings, structures or portions thereof seeking coverage under Article 7-C solely pursuant to MDL § 281(4); [or] (iii) June 21, 2010, for buildings, structures or portions thereof seeking coverage under Article 7-C pursuant to MDL § 281(5) as enacted in Chapter 135 or as amended in Chapter 147 of the Laws of 2010; or (iv) June 1, 2012, for buildings, structures, or portions of buildings seeking coverage under Article 7-C pursuant to § 281(5) as amended in Chapter 4 of the Laws of 2013. Such units shall be exempt from Article 7-C coverage unless the residential certificate of occupancy is revoked.

(2) Registration as an IMD with the Loft Board shall be required of:

(i) Any building, structure, or portion thereof, which otherwise meets the criteria for an IMD set forth in: (A) MDL § 281(1), and these rules, for all residentially-occupied units which lacked a final residential certificate of occupancy issued pursuant to § 301 of the MDL prior to June 21, 1982, (B) MDL § 281(4), and these rules for all residentially-occupied units which lacked a final certificate of occupancy issued pursuant to § 301 of the MDL prior to July 27, 1987, [or] (C) MDL § 281(5) as enacted in Chapter 135 or as amended in Chapter 147 of the Laws of 2010, and these rules, for all residentially-occupied units which lacked a final certificate of occupancy issued pursuant to MDL § 301, prior to June 21, 2010, or (D) MDL § 281(5) as amended in Chapter 4 of the Laws of 2013, and these rules, for all residentially-occupied units which lacked a final certificate of occupancy issued pursuant to MDL § 301, prior to June 1, 2012. Issuance of a certificate of occupancy pursuant to MDL § 301 for such units on or after June 21, 1982, July 27, 1987, [or] June 21, 2010, or June 1, 2012, as applicable, will not be the basis for exemption from Article 7-C coverage;

(ii) Any building, structure, or portion thereof which meets the criteria for an IMD set forth in MDL § 281, and these rules, for all residentially occupied units which obtained a temporary residential certificate of occupancy issued pursuant to MDL § 301 prior to: (A) June 21, 1982 for units covered under MDL § 281(1), (B) July 27, 1987 for units covered under MDL § 281(4), [and] (C) June 21, 2010 for units covered under MDL § 281(5) as enacted in Chapter 135 or as amended in Chapter 147 of the Laws of 2010, and (D) June 1, 2012 for units covered under MDL § 281(5) as amended in Chapter 4 of the Laws of 2013. Issuance of a temporary residential certificate of occupancy for such units prior to these dates will not be the basis for exemption from Article 7-C coverage if on or after these dates a period of time of any length existed for any reason during which a temporary or final certificate of occupancy issued pursuant to MDL § 301 was not in effect for such units[.];

§ 11. Paragraph (2) of subdivision (d) of section 2-08 of title 29 of the rules of the city of New York is amended to read as follows:

(2) For purposes of counting to determine whether a building qualifies as an IMD, and is covered under Article 7-C, residential units described as follows shall not be included:

(i) any units designated as residential on a final certification of occupancy issued pursuant to MDL § 301 prior to: (A) June 21, 1982 for a unit seeking coverage under MDL § 281(1); (B) [prior to] July 27, 1987 for a unit seeking coverage under MDL § 281(4); (C) [or prior to] June 21, 2010 for a unit seeking coverage under MDL § 281(5) as enacted in Chapter 135 or as amended in Chapter 147 of the Laws of 2010 or (D) June 1, 2012 for a unit seeking coverage under MDL § 281(5) as amended in Chapter 4 of the Laws of 2013.

(ii) any units designated as "joint living work quarters for artists" on a final certificate of occupancy issued prior to: (A) June 21, 1982 for a unit seeking coverage under MDL §

281(1); (B) [prior to] July 27, 1987 for unit seeking coverage under MDL § 281(4); [or prior to] (C) June 21, 2010 for a unit seeking coverage under MDL § 281(5) as enacted in Chapter 135 or as amended in 147 of the Laws of 2010; or (D) June 1, 2012 for a unit seeking coverage under MDL § 281(5) as amended in Chapter 4 of the Laws of 2013; and

(iii) any units designated for a commercial use with an accessory residential use on a final certificate of occupancy issued prior to: (A) June 21, 1982 for a unit seeking coverage under MDL § 281(1); (B) [prior to] July 27, 1987 for a unit seeking coverage under MDL § 281(4); [or prior to] (C) June 21, 2010 for a unit seeking coverage under MDL § 281(5) as enacted in Chapter 135 or as amended in 147 of the Laws of 2010; or (D) June 1, 2012 for a unit seeking coverage under MDL § 281(5) as amended in Chapter 4 of the Laws of 2013.

§ 12. Subparagraph (vi) of paragraph (4) of subdivision (e) of section 2-08 of title 29 of the rules of the city of New York is amended to read as follows:

(vi) For any building, structure or portion thereof that meets the criteria for an IMD set forth in MDL § 281(5) and these rules, the timing of the code-compliance deadlines are set forth in MDL § 284(1)(vi) and §§ 2-01(a)(9) and (10) [is triggered by the effective date of Chapter 135 of the Laws of 2010, which is June 21, 2010].

§ 13. Subdivisions (j), (k), (m), (n), (q), (r), and (s) of section 2-08 of title 29 of the rules of the city of New York are amended to read as follows:

(j) The term "Interim Multiple Dwelling" ("IMD") as used in Multiple Dwelling Law § 281(5) shall not include any building in which an inherently incompatible use as described in subsection (k) of this section is being actively and currently pursued in any unit other than a residential unit of the building. The term "actively and currently pursued" shall refer to commercial, manufacturing or industrial use being conducted in the building on June 21, 2010[.] and continuing at the time of the submission of an application for coverage by any party. A unit eligible for coverage pursuant to MDL § 281(5), which is located in a building registered as an IMD under MDL §§ 281(1) or (4), shall not be excluded from Article 7-C coverage on the basis that any prohibited activity in use groups 15 through 18 existed in the building. [on June 21, 2010.]

(k) Uses in Use Groups Inherently Incompatible With Residential Use. Pursuant to MDL § 281(5), a use that falls within Use Groups 15-18, as defined in Article III Chapter 2 and Article IV Chapter 2 of the Zoning Resolution in effect on June 21, 2010 and continuing at the time of the submission of an application for coverage by any party, that is also set forth in the Appendix to these Rules, is inherently incompatible with residential use in the same building if it:

(i) has or should have a New York City or New York State environmental rating of "A", or "B" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate; or

(ii) is or should be required under the Community Right-to-Know Law, at Chapter 7 of Title 24 of the Administrative Code of the City of New York, to file a Risk Management Plan for Extremely Hazardous Substances; or

(iii) is or should be classified as High-Hazard Group H occupancy as set forth in Section 307 of the New York City Building Code.

(m) Owner's registration application. For all applications for registration filed pursuant to § 2-05, except for any unit eligible for coverage pursuant to MDL § 281(5) that is located in a building registered as an IMD under MDL §§ 281(1) or (4), the owner seeking coverage under MDL § 281(5) must, if there are any commercial, manufacturing, or industrial uses in the non-residential units in the building as of June 21, 2010, and continuing at the time of the submission of an application for coverage by any party, submit a certification to the Loft Board, signed by a New York State licensed and registered architect or engineer, that such commercial, manufacturing or industrial use is not an inherently incompatible use under subdivision (k).

(n) Rejection of owner's registration application. Where an owner files a registration application for coverage under MDL § 281(5) for a building that has or had a commercial, manufacturing or industrial tenant that was actively pursuing a use on June 21, 2010, and continuing at the time of the submission of an application for coverage by any party, that was inherently incompatible with residential use under subsection (k) above, the Executive Director shall determine that the building does not qualify for coverage and reject the registration application.

(q) Tenant applications for coverage. For all applications for coverage filed pursuant to § 1-06, except for any unit eligible for coverage pursuant to MDL § 281(5) that is located in a building registered as an IMD under MDL §§ 281(1) or (4), the applicant seeking coverage under Article 7-C of the MDL must establish by a preponderance of the evidence that there are no commercial, manufacturing or industrial uses in the non-residential units that are inherently incompatible with residential use as defined in subdivision (k) in the building as of June 21, 2010 and continuing at the time of the submission of an application for coverage by any party.

(r) Site visits. The Executive Director may conduct, or designate a Loft Board staff member to conduct, a site visit to the building for which coverage under Article 7-C of the [MD L] MDL is being sought. The building owner shall arrange for the Executive Director and/or the Loft Board's staff to have access to the non-residential spaces upon reasonable notice.

The Executive Director, or his/her staff, may also conduct informal conferences regarding the owner's registration application. The Executive Director may request additional information from the owner, building tenants or government agencies about the non-residential uses in the building on June 21, 2010 and continuing at the time of the submission of an application for coverage by any party.

(s) Appeal of Decision. If the Executive Director rejects the registration or revokes the IMD registration number issued after the filing of the registration application because a use listed in subdivisions (k) of this section was actively and currently pursued in the unit on June 21, 2010, and continuing at the time of the submission of an application for coverage by any party, the applicant may appeal the Executive Director's determination to the Loft Board in accordance with, and subject to the terms of the provisions in § 1-07.1.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Code Compliance Deadline Rule (§§ 2-01, 2-03, 2-08)

REFERENCE NUMBER: 2011 RG 056

RULEMAKING AGENCY: Loft Board

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN Date: April 10, 2013
Acting Corporation Counsel

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Code Compliance Deadline Rule (§§ 2-01, 2-03, 2-08)

REFERENCE NUMBER: DOB-13, 15, 39, 40

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Provides a cure period for some violations, but does not provide a cure period for other violations because a) code compliance violations pose a risk to public health and safety, b) certain violations arise from completed events, the consequences of which are immediate, which makes a cure period impracticable under the circumstances, or c) cure period would run counter to the proposed rule's goal of encouraging timely filing of documentation.

/s/ Ruby B. Choi Date: 4/10/2013
Mayor's Office of Operations

• a15

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on proposed rule Section 2-11.1, which relates to Loft Board fines.

Date / Time: May 16, 2013 at 1:00 P.M.

Location: 22 Reade Street
1st Floor Spector Hall
New York, NY 10007

Contact: New York City Loft Board
280 Broadway
3rd Floor
New York, NY 10007
(212) 566-5663

Proposed Rule Amendment

Pursuant to the authority vested in the New York City Loft Board by Article 7-C of the Multiple Dwelling Law and Mayor's Executive Order No. 129, dated May 22, 2009, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, the New York City Loft Board intends to add section 2-11.1 to Title 29 of the Rules of the City of New York to create a fine schedule to Loft Board's rules. The amendments made to Article 7-C of the Multiple Dwelling Law, effective as of June 21, 2010, increased the maximum fine amount from \$1,000 to \$17,500 per violation.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to the New York City Loft Board at the address shown above or electronically through NYC RULES at www.nyc.gov/nycrules by May 16, 2013.
- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact the New York City Loft Board at the phone number shown above by May 13, 2013.
- Written comments and summarized copies of the oral comments received at the hearing will be available by May 23, 2013 between the hours of 10:00 A.M. and 4:00 P.M. at the offices of the New York City Loft Board.

Statement of Basis and Purpose

On June 21, 2010, the New York State Legislature amended Section 282 of the Multiple Dwelling Law to increase the maximum fine amount that the Loft Board may impose for violations of its rules from \$1,000 to \$17,500 per violation. The Loft Board is now proposing to amend its penalties for violations of its rules in accordance with § 282 by adding a new section 2-11.1 to Title 29 of the Rules of the City of New York. The proposed rule outlines a fine schedule to provide both IMD owners and occupants in IMD buildings guidance about the potential fine for a violation of the Loft Board rules. The proposed rule also shows the potential fine if a party is found to have violated the same Loft Board rule previously.

Specifically, section 2-11.1 creates a fine schedule for violations of Loft Board rules § 2-01 (Code Compliance), § 2-01.1 (Reasonable and Necessary Action), § 2-02 (Harassment), § 2-05 (Registration), § 2-07 (Sale of Improvements), and § 2-10 (Sale of Rights) of Title 29 of the Rules of the City of New York. Sections 2-01.1 and 2-05 are also being amended to conform to the fine amounts in the proposed rule § 2-11.1.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this Board, unless otherwise specified or unless the context clearly indicates otherwise. "Civil penalty" and "fine" are also used interchangeably in these rules, unless otherwise specified or unless the context clearly indicates otherwise.

New material is underlined. Deleted matter is in [brackets].

Section 1. Title 29 of the Rules of the City of New York is amended by adding a new section 2-11.1 to read as follows:

§ 2-11.1 Fine Schedule.

(a) Collection of fines. The Loft Board may charge and collect fines for violation of its rules. The Loft Board may, by amending these rules, modify the types of violations for which fines are assessed and/or revise the amount of the fine imposed.

(b) Range of fines.

(1) Code Compliance Fines Pursuant to § 2-01 and § 2-01.1:

Where the owner is found to have violated code compliance deadlines or failed to take all reasonable and necessary action to obtain a final certificate of occupancy, the owner may be subject to a Class C civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE	PENALTY
Failure to Meet Code Compliance Deadlines: §§ 281(1) and (4) buildings	MDL § 284 (1); 29 RCNY §§2-01(a)(1) through 2-01(a)(7); 2-01(c)(2)	No	Up to \$1,000 per missed deadline
Failure to Meet Code Compliance Deadlines: §§ 281(1) and (4) Buildings	MDL § 284(1); 29 RCNY § 2-01(a)(8); § 2-01(c)(2)	No	Up to \$5,000 per missed deadline
Failure to Meet Code Compliance Deadlines: §281(5) Buildings	MDL § 284(1); 29 RCNY §§ 2-01(a)(9) or (a)(10); 2-01(c)(2)	No	Up to \$5,000 per missed deadline
Failure to Take Reasonable and Necessary Action to Obtain a Final Certificate of Occupancy	29 RCNY §§2-01.1(a), (b)(2) and (3)	No	Up to \$1,000 per day up to \$17,500
Failure to Take Reasonable and Necessary Action: Failure to Timely Clear DOB objections for Owner's Alteration Application	29 RCNY §2-01(d)(2)(ix)	Yes within 30 days	Up to \$1,000 per day up to \$17,500

(2) Fines in Connection with Harassment Applications Pursuant to § 2-02:

A finding by the Loft Board that:

- (i) A tenant filed a harassment application in bad faith

or in wanton disregard of the truth pursuant to § 2-02(c)(2)(iii) of these Rules; or

- (ii) An owner or prime lessee harassed an occupant pursuant to § 2-02(d)(1)(ii) or § 2-02(e)(3)(i) of these Rules, in a manner that impacts on the tenant's safety including, but not limited to, refusing to make repairs, repeated housing maintenance violations intended to render the unit uninhabitable, assault, battery or threats of violence; or
- (iii) An owner or prime lessee harassed an occupant pursuant to § 2-02(d)(1)(ii) or § 2-02(e)(3)(i) of these Rules in a manner that impacts on the tenant's quality of life, including, but not limited, to creating excessive noise or odors, threatening eviction, refusal to consent to sublet, and/or tampering with mail,

May subject the tenant, owner or prime lessee to a Class C civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE	PENALTY	AGGRAVATED PENALTY
Harassment Application Filed in Bad Faith	29 RCNY § 2-02(c) (2)(iii)	No	Up to \$4,000	A tenant found to have previously filed a harassment application in bad faith may be subject to an aggravated penalty of up to \$10,000.
Finding of Harassment: Safety Violations e.g., Hazardous Conditions; Housing Maintenance Violations; Refusal to Make Repairs	29 RCNY §§ 2-02(d)(1)(ii);	No	\$3,000 to \$6,000 for each occurrence found to constitute harassment	An owner or prime lessee previously found to have harassed a tenant may be subject to an aggravated penalty of up to \$10,000.
Finding of Harassment: Quality of Life Violations e.g., Noise; Odors; Threat of Eviction; Refusal to Consent to Sublet	29 RCNY §§ 2-02(d)(1)(ii);	No	\$2,000 to \$5,000 for each occurrence found to constitute harassment	An owner or prime lessee previously found to have harassed a tenant may be subject to an aggravated penalty of up to \$10,000.

(3) Failure to Renew IMD Registration Pursuant to § 2-05:

Where an owner fails to renew a building's registration as required in § 2-05(f)(2), the owner may be subject to a Class C violation civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE	PENALTY
Failure to Timely Renew Registration	29 RCNY § 2-05(f)(2)	Yes	\$5,000 for one year; \$10,000 for two years; \$17,500 for three years or more

(4) Fines in Connection with Unreasonable Interference Pursuant to § 2-01(h):

A finding by the Loft Board that:

- (i) An owner unreasonably interfered with the tenant's use of an IMD unit; or
- (ii) An owner unreasonably and willfully interfered with the tenant's use of an IMD unit,

May subject the owner to a Class C civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE	PENALTY
Finding by the Loft Board of Unreasonable Interference with the Use of an IMD Unit	29 RCNY § 2-01(h)	No	\$2,500
Finding by the Loft Board of Unreasonable and Willful Interference with the Use of an IMD Unit	29 RCNY § 2-01(h)	No	\$5,000

(5) Monthly Reports and Failure to Take Reasonable and Necessary Action to Legalize Building Pursuant to §§ 2-01.1(a)(1)(ii) and 2-01.1(b)(6):

An owner who is found:

(i) By the Loft Board's Executive Director to have violated the provisions of § 2-01.1(b)(6) of these Rules may be subject to a Class B civil penalty pursuant to § 2-01.1(b)(7) as follows; or

(ii) To have failed to file monthly reports or to have made false statements in the monthly reports filed pursuant to § 2-01.1(a)(1)(ii),

May be subject to a Class B civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE	PENALTY PER VIOLATION, UP TO \$17,500
Failure to Take Reasonable and Necessary Action: Failure to File an Application with DOB	29 RCNY §§ 2-01.1(b)(6)(i); 2-01.1(b)(7)	Yes	Up to \$1,000 per day
Failure to Take Reasonable and Necessary Action: Failure to Obtain a Building Permit	29 RCNY §§ 2-01.1(b)(6)(ii); 2-01.1(b)(7)	Yes	Up to \$1,000 per day

Failure to Take Reasonable and Necessary Action: Failure to Maintain a Current Work Permit	29 RCNY §§ 2-01.1(b)(6)(iii); 2-01.1(b)(7)	Yes	Up to \$1,000 per day
Failure to Take Reasonable and Necessary Action: Failure to Maintain a Temporary Certificate of Occupancy for the Residential Portion of the Building	29 RCNY §§ 2-01.1(b)(6)(iv); 2-01.1(b)(7)	Yes	Up to \$1,000 per day
Failure to Take Reasonable and Necessary Action: Failure to File Monthly Reports	29 RCNY § 2-01.1(a)(1)(ii)(D)	Yes	Up to \$1,000 per missing report
Failure to Take Reasonable and Necessary Action: Filing False Statements in Monthly Report	29 RCNY§ 2-01.1(a)(1)(ii)(E)	No	\$4,000 per false statement

(6) *Fines in Connection with:*

(i) An owner who fails to comply with the access notice provision of § 2-01(g)(4)(iv);

(ii) An occupant who unreasonably withholds access pursuant to § 2-01(g)(4)(iv);

(iii) An owner who fails to file a Sales Record form after a sale of improvements pursuant to § 2-07(j) or a sale of rights pursuant to §§ 2-10(b) or 2-10(c)(4) within 30 days of sale;

(iv) An owner who fails to report a change in the emergency number, managing agent information, owner's address or ownership information pursuant to § 2-05(b)(10); or

(v) An owner who fails to post the IMD notice pursuant to 29 RCNY § 2-05(b)(13),

May be subject to a Class A civil penalty as follows:

VIOLATION DESCRIPTION	SECTION OF LAW	CURE within 30 days	PENALTY
Failure to Comply with Access Notice Provisions	29 RCNY §§ 2-01(g)(1); 2-01(g)(2); 2-01(g)(4)(iv)	Yes	\$1,000
Occupant Unreasonably Withholds Access	29 RCNY § 2-01(g)(4)(iv)	Yes	\$1,000
Failure to Timely File Sale of Improvements Form	29 RCNY § 2-07(j)	No	\$4,000
Failure to Timely File Sale of Rights Form	29 RCNY §§ 2-10(b) or 2-10(c)(4)	No	\$4,000
Failure to Report a Change in Ownership Information	29 RCNY § 2-05(b)(10)	No	\$4,000
Failure to Post IMD Notice	29 RCNY § 2-05(b)(13)	No	\$1,000

§ 2. Clauses (C) and (D) of subparagraph (i) of paragraph (1) of subdivision (a) of section 2-01.1 of Title 29 of the Rules of the City of New York are amended to read as follows:

(C) Whether the owner timely obtained a building permit after issuance of the Loft Board certification pursuant to [§ 2-01(d)(2)(ix)] § 2-01(d)(2)(xi).

(D) Whether the building permit for the alteration that the Loft Board certified pursuant to [§2-01(d)(2)(ix)] § 2-01(d)(2)(xi) is in effect.

§ 3. Subparagraph (ii) of paragraph (1) of subdivision (a) of section 2-01.1 of Title 29 of the Rules of the City of New York is amended to read as follows:

(ii) Monthly Reports about Legalization Projects.

(A) Any IMD owner who has not been issued a final residential certificate of occupancy issued pursuant to MDL § 301 for the IMD units must file with the Loft Board a monthly report relating to the legalization projects in the building on the approved Loft Board form, as available on the Loft Board's website or at the offices of the Loft Board. In the case of IMD buildings owned by a cooperative or a condominium, the cooperative or condominium board is responsible for the filing of the monthly report. The report is due on the first business day of every month.

(B) The report must be signed by the owner of the IMD building and a registered architect or professional engineer.

(C) The information provided in the report may be used as evidence in connection with a Loft Board determination as to whether the owner has exercised all reasonable and necessary action to obtain a final residential certificate of occupancy.

(D) The Executive Director may issue a fine [of up to \$17,500] in accordance with § 2-11.1 of these Rules for failure to file the legalization report for each report not filed on the first business day of each month.

(E) The filing of a false statement in the monthly report may result in fines [of up to \$17,500] in accordance with § 2-11.1 of these Rules for each false statement in the monthly report.

§ 4. Paragraph (3) of subdivision (b) of section 2-01.1 of Title 29 of the Rules of the City of New York is amended to read as follows:

(3) *Hearings.* Hearings will be conducted by OATH Administrative Law Judges or ECB hearing officers, who will determine whether the owner has made a diligent, consistent and good faith effort to obtain a residential certificate of

occupancy for the IMD [building] as required by Article 7-C of the MDL. Hearings conducted by OATH must be conducted in accordance with the rules and procedures governing OATH so long as they do not conflict with the Loft Board rules. Hearings conducted by an ECB hearing officer must be conducted following the procedures of ECB hearings.

When the OATH Administrative Law Judge or ECB hearing officer issues a [decision] finding that the owner has not exercised all reasonable and necessary action to obtain a final residential certificate of occupancy, he or she shall also recommend a fine [of up to \$17,500 for every day that the owner did not exercise all reasonable and necessary action to obtain a certificate of occupancy] in accordance with § 2-11.1 of these Rules. Such fine accrues 30 calendar days from the date of delivery by hand or 35 calendar days from posting by mail of the notice of an enforcement proceeding, and may continue to accrue until the owner demonstrates compliance with this section.

§ 5. Subparagraph (ii) of paragraph (6) subdivision (b) of section 2-01.1 of Title 29 of the Rules of the City of New York is amended to read as follows:

(ii) Where the Loft Board has issued certification pursuant to [§2-01(d)(2)(ix)] § 2-01(d)(2)(xi) of these rules, and an owner has failed to obtain an alteration permit within 3 months from the date of such certification or from the effective date of this rule, whichever is later, such failure to obtain the permit constitutes a rebuttable presumption that the owner is not engaged in taking reasonable and necessary action to obtain a residential certificate of occupancy or a certificate of occupancy for the residential portions of the building.

§ 6. Paragraph (7) of subdivision (b) of section 2-01.1 of Title 29 of the Rules of the City of New York is amended to read as follows:

(7) Upon finding a violation pursuant to paragraph (6) of this subdivision, the Loft Board's Executive Director may issue a notice to the owner stating an intent to find the owner in violation of its obligation to exercise all reasonable and necessary action. The Loft Board's Executive Director may issue a fine [of up to \$17,500 for every day that the owner does not exercise all reasonable and necessary action to obtain a certificate of occupancy] in accordance with § 2-11.1 of these Rules.

The owner has the right to present to the Loft Board's Executive Director or his or her representative within 30 calendar days of delivery of the notice by hand, or 35 calendar days of the posting of the notice by mail, a response that includes information as to why the notice should be withdrawn and/or information regarding mitigating factors pursuant to paragraph (5) of this subdivision the owner wishes to be considered in connection with Executive Director's determination of the amount of the fine to be imposed.

Following the receipt of a timely response from the owner, the Executive Director may either withdraw the notice, or may impose a fine [of up to \$17,500 for every day that the owner has not exercised all reasonable and necessary action to obtain a certificate of occupancy] in accordance with § 2-11.1 of these Rules. Unless the owner first demonstrates compliance with this section, such fine begins to accrue 30 calendar days after delivery by hand or 35 calendar days after the posting of the notice by mail and continues to accrue until the owner demonstrates compliance with this section. If necessary, the owner may file an application for an extension of the code compliance deadlines, pursuant to § 2-01(b).

§ 7. Paragraph (2) of subdivision (f) of section 2-05 of Title 29 of the Rules of the City of New York is amended to read as follows:

(2) *Registration Renewals.* Renewal of registration pursuant to §2-11(b)(1)(i)(A) of these rules shall be required annually on or before July 1st. Prior to the processing of the registration renewal application, the landlord or the agent is required to pay all unpaid fines, late fees and registration and code compliance monitoring fees for prior registration periods at the rate set forth in §2-11(b)(9)(i) of these rules, as may be amended from time to time. Failure to timely pay such registration and code compliance monitoring fees may result in the imposition of late fees, and other civil penalties, in accordance with the terms and provisions of these rules, including, without limitation, §2-11(b)(1)(i)(D) and § 2-11.1.

§ 8. Paragraph (10) of subdivision (b) of section 2-05 of Title 29 of the Rules of the City of New York is amended to read as follows:

(10) For each building potentially subject to Article 7-C, the owner, the lessee of the whole building, if applicable, and the agent must each sign the registration application form thereby certifying to the truth, accuracy and completeness of the information contained therein. If the building is known by more than one address, the applicant shall list each address on the application form.

If the owner, lessee of the whole building or agent is a corporation, other than a corporation listed as exempt from the provisions of MDL § 325, the names, business, and residence addresses and phone numbers of each of its officers must be listed on the form.

Other officers, including treasurer or chief fiscal officer, and stockholders who own or control at least 10 percent of the corporation's stock, must be listed on a separate attachment.

If the owner, lessee of the whole building or agent is other than an individual or a corporation, the names, business and residential addresses and phone numbers for each member, general partner or participant in a partnership, joint venture or limited liability company must be listed on a separate attachment.

At least one of the phone numbers filed with the registration application form must be a confidential

telephone number where a responsible party can reasonably be expected to be reached 24 hours a day, 7 days a week for emergencies. Such number(s) must be within 50 miles radius of New York City limits, and must be indicated on a separate signed sheet of paper filed with the registration application form. Such responsible party shall be twenty-one years or older, and shall reside within New York City or customarily and regularly attend a business office located in New York City. The emergency number shall be confidential [pursuant to the Freedom of Information Law (Public Officers Law § 84, et. seq.) as amended from time to time]. Any change in the emergency number, managing agent information, owner's address or ownership shall be sent to the Loft Board within 5 days of the change. The failure to report such change is a violation of the Loft Board rules and the owner may be subject to civil penalties [to civil penalties up to \$17,500.00.] in accordance with § 2-11.1 of the Loft Board Rules.

§ 9. Paragraph (13) of subdivision (b) of section 2-05 of Title 29 of the Rules of the City of New York is amended to read as follows:

(13) A notice, in the form prescribed by the Loft Board, as designated on the Loft Board's website, shall be posted in the lobby of every IMD building within five (5) business days after the issuance of the IMD Registration Number. Failure to post such notice or update the notice within 5 calendar days of a change in the information contained in such notice may subject the landlord to civil penalties [of up to \$17,500 per day.] in accordance with § 2-11.1 of the Loft Board Rules. Such notice must contain:

- (A) [the building] The building's address;
- (B) [the] The IMD Registration Number assigned by the Loft Board for the purpose of identifying the building;
- (C) [the] The contact information for the owner and managing agent; and
- (D) [the] The Loft Board's phone number.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Loft Board Fines (§ 2-11.1)

REFERENCE NUMBER: 2012 RG 034 (revised 4/10/13)

RULEMAKING AGENCY: Loft Board

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN Date: April 10, 2013
Acting Corporation Counsel

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Code Compliance Deadline Rule (§§ 2-01, 2-03, 2-08)

REFERENCE NUMBER: DOB-13, 15, 39, 40

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Provides a cure period for some violations, but does not provide a cure period for other violations because a) code compliance violations pose a risk to public health and safety, b) certain violations arise from completed events, the consequences of which are immediate, which makes a cure period impracticable under the circumstances, or c) cure period would run counter to the proposed rule's goal of encouraging timely filing of documentation.

/s/ Ruby B. Choi
Mayor's Office of Operations

4/10/2013
Date

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on proposed rule changes to Section 2-12 of the Loft Board Rules which relate to rent adjustments under Multiple Dwelling Law (“MDL”) § 286(2)(ii).

Date / Time: May 16, 2013 at 1:00 P.M.

Location: 22 Reade Street
Spector Hall, 1st Floor
New York, NY 10007

Contact: New York City Loft Board
280 Broadway, 3rd Floor
New York, NY 10007
(212) 566-5663

Proposed Rule Amendment

Pursuant to the authority vested in the New York City Loft Board by Article 7-C of the Multiple Dwelling Law and Mayor’s Executive Order No. 129, dated May 22, 2009, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, the New York City Loft Board intends to amend section 2-12 of Title 29 of the Rules of the City of New York to conform the Loft Board’s rules regarding rent adjustments under MDL § 286(2)(ii) to the 2010 and 2013 amendments to Article 7-C.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment by mail to the New York City Loft Board at the address shown above or electronically through NYC RULES at www.nyc.gov/nycrules by May 16, 2013.
- To request a sign language interpreter or other form of reasonable accommodation for a disability at the hearing, please contact the New York City Loft Board at the phone number shown above by May 13, 2013.
- Copies of the written comments and summaries of the oral comments received at the hearing will be available by May 23, 2013 between the hours of 10:00 A.M. and 4:00 P.M. at the offices of the New York City Loft Board.

STATEMENT OF BASIS AND PURPOSE

On June 21, 2010, the New York State Legislature amended Article 7-C of the Multiple Dwelling Law (“Loft Law”) to add, among other things, MDL § 281(5) which expanded the criteria for Article 7-C coverage. In Chapter 4 of the Laws of 2013, the New York State Legislature further amended MDL § 281(5) and, among other things, modified the amount of rent adjustments that owners may receive pursuant to MDL § 286(2)(ii), commonly referred to as “milestone increases.”

Pursuant to MDL § 286(2)(ii), owners of interim multiple dwelling (“IMD”) buildings, including those owners of the buildings covered pursuant to MDL § 281(5), may seek rent adjustments upon achieving three legalization milestones. The legalization milestones are: 1) the filing of an alteration application with the Department of Buildings for conversion of the building from commercial to residential use; 2) the issuance of a permit for the alteration application; and 3) achieving Article 7-B compliance. An IMD owner may collect the rent adjustment for achieving one or more milestones the month immediately following compliance.

The proposed rule describes the procedure for obtaining the rent adjustments in MDL § 286(2)(ii) for units subject to the Loft Law pursuant to MDL § 281(5) and refers to MDL § 286(2)(ii) for the rent adjustment percentages for achieving each legalization milestone. Finally, the proposed rule includes new section headings and minor clarifying revisions.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this Board, unless otherwise specified or unless the context clearly indicates otherwise.

New matter in the following rule is underlined, and deleted material is in [brackets.]

Section 2-12 of Title 29 of the Rules of the City of New York is amended to read as follows:

§ 2-12 MDL § 286(2)(ii) Rent Adjustments.

(a) Definitions.

[Alteration application.] “Alteration application” [shall mean an application accepted for filing by the Department of Buildings of the City of New York (“DOB”) specifying the work to be undertaken to obtain a] means, for the purposes of these Rules, the work application form submitted for filing to the Department of Buildings of the City of New York (“DOB”), which describes the work to be undertaken that will result in obtaining a final certificate of occupancy for an interim multiple dwelling (“IMD”) unit, as defined in MDL § 281 and these rules [of the Multiple Dwelling Law, (“covered unit”)] for residential use or joint living-work quarters for artists usage [“residential certificate of occupancy”]).

[Alteration permit.] “Alteration permit” [shall mean] means a building permit issued by the DOB authorizing the owner to make the alterations set forth in the approved alteration application which are necessary to obtain a residential certificate of occupancy for an [covered] IMD unit.

[Article 7-B compliance.] “Article 7-B compliance” [shall

mean] means compliance with the fire protection and safety standards of Article 7-B of the MDL [Multiple Dwelling Law], or alternative building codes as authorized by MDL § 287. Article 7-B compliance [shall] must be evidenced by:

(i) DOB’s issuance of a [final] temporary residential certificate of occupancy;

(ii) DOB’s issuance of a final residential certificate of occupancy after June 21, 1992;

(iii) DOB records demonstrating that the alterations necessary for issuance of a residential certificate of occupancy have been completed; or

(iv) [the] The filing with the Loft Board of a sworn statement by a registered architect or professional engineer licensed in the State of New York stating that the IMD has achieved Article 7-B compliance and the date of such compliance on the Loft Board approved form.

“Maximum permissible rent,” or “maximum rent permissible,” for purposes of this rule, means “total rent” plus any permissible rent adjustments, as provided in § 2-06 for units subject to Article 7-C pursuant to § 281(1), or § 2-06.1 for units subject to Article 7-C pursuant to § 281(4). For units subject to Article 7-C pursuant to § 281(5), “maximum permissible rent” is defined in § 2-06.2 of these Rules. If one or more rent adjustments pursuant to this section have already been applied, “maximum permissible rent” includes such adjustments.

(b) Eligibility requirements.

The owner of an IMD is eligible for [one] 1 or more rent adjustments pursuant to MDL § 286(2)(ii) if all the following conditions are met:

(1) The residential unit for which the rent adjustment is sought is covered under Article 7-C of the MDL [Multiple Dwelling Law];

(2) The IMD building in which the covered residential unit is located is registered with the Loft Board;

(3) A final certificate of occupancy permitting residential occupancy of the covered unit was not issued on or before June 21, 1992;

(4) The residential unit was not rented at market value between June 21, 1982 and June 21, 1992 [as a result of a sale of improvements pursuant to MDL § 286(6) or sale of rights pursuant to MDL § 286(12) and Loft Board rules issued pursuant thereto], unless the IMD unit is covered under Article 7-C pursuant to MDL § 281(5); and

(5) The owner meets or has already met [one] 1 or more of the code compliance obligations [set forth] in MDL § 284(1) which requires that the owner file an alteration application[;], obtain an approved alteration permit[;], and achieve Article 7-B compliance.

An eligible owner is entitled to [one] 1 or more of the applicable rent adjustments [as set forth] in subdivisions (c) through (e) of § 2-12 of these rules.

(c) Alteration application rent adjustment.

(1) Filing prior to June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who filed an alteration application with the DOB prior to June 21, 1992 is entitled to a six percent (6%) increase over the maximum rent permissible under Loft Board rules for the covered residential unit on June 21, 1992.

(2) Filing on or after June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who files an alteration application with the DOB on or after June 21, 1992 is entitled to [a six percent (6%)] an increase over the maximum rent permissible [under Loft Board rules] as provided in MDL § 286(2)(ii)(A) for the covered residential unit on the date the alteration application is filed.

(d) Alteration permit rent adjustment.

(1) Issuance prior to June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who obtained an alteration permit prior to June 21, 1992 is entitled to a fourteen percent (14%) increase over the maximum rent permissible under Loft Board rules for the covered residential unit on June 21, 1992.

(2) Issuance on or after June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who obtains an alteration permit from the DOB on or after June 21, 1992 is entitled to an [eight percent (8%)] increase over the maximum rent permissible [under Loft Board rules] as provided in MDL § 286(2)(ii)(B) for the covered residential unit on the date the alteration permit is issued by the DOB.

(e) Article 7-B compliance rent adjustment.

(1) Compliance prior to June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who achieved Article 7-B compliance prior to June 21, 1992 is entitled to a twenty percent (20%) increase over the maximum rent permissible under Loft Board rules for a

covered residential unit on June 21, 1992.

(2) Compliance on or after June 21, 1992. An owner who otherwise meets the eligibility requirements of § 2-12(b) of these rules and who achieves [article] Article 7-B compliance on or after June 21, 1992 is entitled to [a six percent (6%)] an increase over the maximum rent permissible [under Loft Board rules] as provided in MDL § 286(2)(ii)(C) for the covered residential unit on the date Article 7-B compliance is achieved.

(f) Payment of rent adjustments.

Payment of rent adjustments based on filing an alteration application, obtaining an alteration permit or achieving Article [7-b] 7-B compliance shall commence; (i) the month immediately after the month the alteration application is filed, the alteration permit is obtained or Article 7-B compliance is achieved, or (ii) on July 1, 1992, whichever is later.

(g) Effect on other rent increases [and base rent].

(1) Rent adjustments pursuant to this section [shall be] will be applied in addition to any rent increases which an owner is entitled to pursuant to §§ 2-06, [or §] 2-06.1, 2-06.2, or the Loft Board rules related to setting the initial legal regulated rent. [(Interim Rent Guidelines), or § 2-01(m) (Code Compliance Work-Initial legal regulated rents) of these rules].

(2) [The base rent for covered units shall be the amount of rent after rent adjustments pursuant to this section are implemented.] Any allowable rent adjustments pursuant to this section will be included in the calculation of the initial legal regulated rent.

(3) Rent adjustments pursuant to this section shall be effective upon filing an alteration application, obtaining an alteration permit or Article 7-B compliance regardless of the subsequent expiration of said alteration application, alteration permit or temporary certificate of occupancy, or the filing of a further qualifying alteration application for the building. If the Loft Board or a court of competent jurisdiction determines the sworn statement of Article 7-B compliance was erroneous, all rent increases based on such statement shall be nullified.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Fair Market Value Exception to Rent Adjustments, Loft Board Rule § 2-12

REFERENCE NUMBER: 2011 RG 094 (revised 4/10/13)

RULEMAKING AGENCY: Loft Board

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN

Date: April 10, 2013

Acting Corporation Counsel

NEW YORK CITY MAYOR’S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Fair Market Value Exception to Rent Adjustments, Loft Board Rule § 2-12

REFERENCE NUMBER: DOB-23

RULEMAKING AGENCY: Department of Buildings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent

with achieving the stated purpose of the rule; and

- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Ruby B. Choi
Mayor's Office of Operations

4/10/2013
Date

a15

SPECIAL MATERIALS

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: April 9, 2013

To: Occupants, Former Occupants, and Other Interested Parties

Table with columns: Property, Address, Application #, Inquiry Period. Lists various addresses in Manhattan and Brooklyn with application details.

Table with columns: Property, Address, Application #, Inquiry Period. Lists addresses in Brooklyn.

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period.

a9-18

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: April 9, 2012

To: Occupants, Former Occupants, and Other Interested Parties

Table with columns: Property, Address, Application #, Inquiry Period. Lists 519 Graham Avenue, Brooklyn.

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period.

a9-18

OFFICE OF THE MAYOR

OFFICE OF CONTRACT SERVICES

NOTICE

Notice of Intent to Issue New Solicitation Not Included in FY 2013 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be issuing the following solicitation not included in the FY 2013 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Sanitation
Nature of services sought: Operation, Maintenance, and Facility Management of Fresh Kills Leachate Control System, Including Engineering & Construction Services
Start date of the proposed contract: 8/2/2013
End date of the proposed contract: 8/1/2015
Method of solicitation the agency intends to utilize: Negotiated Acquisition Extension
Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

Notice of Intent to Renew Contract Not Included in FY 2013 Annual Contracting Plan and Schedule

NOTICE IS HEREBY GIVEN that the Mayor will be entering into the following renewal of a contract not included in the FY 2013 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Environmental Protection
Vendor: Clean Venture, Inc.

Nature of services: Oil Spill Response at Wards Island Water Pollution Control Plant
Method of renewal or extension the agency intends to utilize: Renewal
New start date of the proposed renewed contract: 5/13/2013
New end date of the proposed renewed contract: 5/12/2014
Modifications sought to the nature of services performed under the contract: None
Reason(s) the agency intends to renew the contract: To provide uninterrupted oil spill response services at Wards Island. Personnel in substantially similar titles within agency: None
Headcount of personnel in substantially similar titles within agency: 0

a15

SCHOOL CONSTRUCTION AUTHORITY

NOTICE

NOTICE OF FILING

Pursuant to Section 1731 of the New York City School Construction Authority Act, notice has been filed for the proposed site selection of Block 7327, Lots 28, 38, 39, and 49, and any other property in the immediate vicinity which may be necessary for the proposed project, located in the Borough of Queens, for the construction of a new, approximately 416-seat primary school facility in Community School District No. 26.

The proposed site contains a total of approximately 45,000 square feet of lot area (1.03 acres) and is located on the north side of 48th Avenue between 210th and 211th Streets in the Bayside section of Queens. The site is privately-owned and is currently being used as a garden center/nursery and residence. Site plans and a summary thereof for the proposed action are available at:

New York City School Construction Authority
30-30 Thomson Avenue, Long Island City, New York 11101

Attention: Ross J. Holden

Comments on the proposed actions are to be sent to the New York City School Construction Authority at the above address and will be accepted until May 30, 2013.

a15

TRANSPORTATION

NOTICE

The NYC Department of Transportation (DOT) is now accepting applications from eligible not-for-profit organizations to propose sites for new public plazas. Through the NYC Plaza Program, DOT works with selected community organizations to build new or enhance existing neighborhood plazas throughout the City. After the plazas are designed and built, the partnering organizations are responsible for the maintenance, operation and management of the plazas, which may include the operation of a concession by the selected not-for-profit organization. Interested not-for-profit organizations should visit www.nyc.gov/plazas prior to contacting NYC DOT to learn more about the program and its application guidelines. Any eligible not-for-profit organizations that believe they meet the requirements should download and complete the application form from the department website above. Eligible and interested not-for-profit organizations can obtain further information about the program by contacting Emily Weidenhof at (212) 839-4325. Applications can be submitted either by mail to NYC Plaza Program; NYC DOT, 55 Water Street, 9th Floor, New York, New York 10041, or by email to plazas@dot.nyc.gov. All applications must be either submitted by email or postmarked by Wednesday, July 31, 2013.

a8-19

CHANGES IN PERSONNEL

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Police Department for the period ending 03/29/13.

Table with columns: COLON, NOEL, A, 70260, \$112574.0000, RETIRED, NO, 03/19/13. Lists personnel changes for various departments.

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE
IDRISY	EYSMIN			70205	\$10,2600	RESIGNED	YES	03/07/13
IGLESIAS	EDWIN			7021B	\$98072.0000	RETIRED	NO	03/17/13
IVAN	SAUMITRA	R		71651	\$29217.0000	RESIGNED	NO	02/27/13
JAMES	STACEY			70205	\$12,9000	RESIGNED	YES	03/08/13
JEFFREY	GAIL	L		10144	\$30683.0000	APPOINTED	NO	03/15/13
JENKINS	ALEX	M		10144	\$30683.0000	APPOINTED	NO	03/15/13
JENKINS	SHARON			10144	\$30683.0000	APPOINTED	NO	03/15/13
JEWET	ADREANNA	T		10144	\$30683.0000	APPOINTED	NO	03/15/13
JOHNSON	JOANNE			10124	\$46882.0000	PROMOTED	NO	03/01/13
JOHNSON	TOMMY			60817	\$35323.0000	RESIGNED	NO	03/09/13
JOISHY	MAHANTH	S		12627	\$68466.0000	APPOINTED	NO	03/11/13
KOGER	SHAKEMA	N		71012	\$44899.0000	RESIGNED	NO	03/01/13
LANE	KAREN			12627	\$68466.0000	APPOINTED	NO	03/11/13
LATIF	AMIR	M		10144	\$30683.0000	APPOINTED	NO	03/20/13
LAWRENCE	BETTY	C		10144	\$30683.0000	APPOINTED	NO	03/15/13
LEE	JENNIFER			10144	\$30683.0000	APPOINTED	NO	03/15/13
LICARI	DENISE	P		60817	\$35323.0000	RETIRED	NO	03/16/13
LIOTTA	JOSEPH	J		70210	\$41975.0000	RESIGNED	NO	03/13/13
LONG	STEVEN	B		60817	\$35455.0000	RETIRED	NO	03/06/13
LOPS	EILEEN	I		71651	\$33620.0000	RETIRED	NO	03/13/13
LOVE-DENTON	SHEENA	S		10144	\$30683.0000	APPOINTED	NO	03/15/13
LUDEMANN	GENEVIEV	T		10144	\$30683.0000	APPOINTED	NO	03/15/13
MADRAY	REBEKHA			10144	\$30683.0000	APPOINTED	NO	03/15/13
MAHONEY	JOHN	N		70210	\$56609.0000	RESIGNED	NO	02/28/12
MARCIAL	PATRICK	R		70210	\$41975.0000	RESIGNED	NO	03/22/13
MARSHALL	HELEN	Y		10124	\$56911.0000	RESIGNED	NO	03/15/13
MARTINEZ	JOANNA			10144	\$30683.0000	APPOINTED	NO	03/15/13
MASCOLI	VINCENT			70210	\$76488.0000	DECEASED	NO	03/14/13
MATTHEWS	DAWN	M		10144	\$30683.0000	APPOINTED	NO	03/15/13
MATTIS	CAROLYN	D		10147	\$42741.0000	RESIGNED	NO	02/28/13
MCGLYNN JR	MICHAEL	V		70210	\$43644.0000	RESIGNED	NO	03/09/13
MCGRUFF	TREVOR	T		71651	\$29217.0000	RESIGNED	NO	03/08/13
MENDEZ	CRISTINA			60817	\$35323.0000	RESIGNED	NO	03/06/13
MENDEZ	JENNY	M		70210	\$43644.0000	TERMINATED	NO	02/06/13
MITCHELL	MICHELLE			10144	\$30683.0000	APPOINTED	NO	03/15/13
MOORE	MARIE			60817	\$35455.0000	RETIRED	NO	03/15/13
MORALES	KATHY	L		71651	\$29217.0000	RESIGNED	NO	02/23/13
MOWATT	VERNETTA			60817	\$35323.0000	RESIGNED	NO	02/27/13
NELSON	TAMEIKA	L		71012	\$33162.0000	RESIGNED	NO	03/07/13
NUESI	RICARDO	J		10144	\$30683.0000	APPOINTED	NO	03/15/13
NUNEZ	ALEXANDE			60817	\$35323.0000	RESIGNED	NO	03/17/13
OHALLORAN	KIERAN	M		7021B	\$98072.0000	RETIRED	NO	03/14/13
PALESTRO	FRANK	D		70210	\$76488.0000	RETIRED	NO	02/07/13
PAPPAS	KATHY			70210	\$76488.0000	RETIRED	NO	03/12/13
PARKER	LATASHA	K		71651	\$33600.0000	RESIGNED	NO	02/27/13
PATERNO	JENEA	A		10144	\$30683.0000	APPOINTED	NO	03/15/13
PEREZ	DAVID	A		70265	\$114978.0000	PROMOTED	NO	02/21/13
PEREZ	RAFEAL			60817	\$35455.0000	RETIRED	NO	03/22/13
PEREZ	TIFFANY	S		10144	\$30683.0000	APPOINTED	NO	03/15/13
PEREZ	WILLIAM			60817	\$35455.0000	RESIGNED	NO	11/24/12
PINEDA	CRYSTAL			10144	\$30683.0000	APPOINTED	NO	03/15/13
PORTER	DAMON	N		70210	\$76488.0000	RETIRED	NO	03/12/13
PRICE	TABITHA			60817	\$35323.0000	RESIGNED	NO	02/23/13
RIORDAN	TIMOTHY	M		70210	\$41975.0000	RESIGNED	NO	03/15/13
ROBERTS	SHEVERN	A		71012	\$44899.0000	RESIGNED	NO	02/27/13
ROCA	PATRICIA	E		10144	\$30683.0000	APPOINTED	NO	03/15/13
ROCHESTER	WINTHROP			71651	\$29217.0000	RESIGNED	NO	03/22/13
RODRIGUEZ	JEANNIE			71012	\$33162.0000	RESIGNED	NO	03/15/13
RODRIGUEZ	YAMILET			71012	\$33162.0000	RESIGNED	NO	03/22/13
ROGERS	SHAMEEKA			10144	\$30683.0000	APPOINTED	NO	03/15/13
ROJAS	DIANA	X		10144	\$30683.0000	APPOINTED	NO	03/15/13
ROMAN	IVETTE			10144	\$30683.0000	APPOINTED	NO	03/15/13
ROSALLI GIBBS	DEBORAH	A		10144	\$30683.0000	APPOINTED	NO	03/15/13
ROSENBERG	JONATHAN	H		70210	\$41975.0000	APPOINTED	NO	03/14/13
RUSSOLELLO	DOMINICK			7021A	\$87278.0000	RETIRED	NO	03/23/13
RYAN	MARIE	G		95005	\$107471.0000	INCREASE	YES	03/01/13
SAMBOLIN	MATTHEW	C		60817	\$32112.0000	TERMINATED	NO	03/02/13
SANTOS	IDALIA	B		70260	\$112574.0000	RETIRED	NO	03/16/13
SCARLETT	JANDEL	S		10144	\$30683.0000	APPOINTED	NO	03/15/13
SEDA	SUSANA			70260	\$112574.0000	RETIRED	NO	03/23/13
SESSOMS	MARY-DAN			10144	\$30683.0000	APPOINTED	NO	03/15/13
SIMMONS	BETTY			10144	\$30683.0000	APPOINTED	NO	03/15/13
SINGH	JAGDEEP			71651	\$29217.0000	RESIGNED	NO	03/06/13
SINGH	MARIAM			10144	\$30683.0000	APPOINTED	NO	03/15/13
SMALLS	ROBERT	L		71651	\$36210.0000	RESIGNED	NO	03/08/13
SMALTZ	PETER			60820	\$57813.0000	RETIRED	NO	01/05/13
SMITH	SHAWN	D		70204	\$14,6100	RESIGNED	YES	06/23/06
SMYTH	JEANNINE	A		10144	\$30683.0000	APPOINTED	NO	03/15/13
SOLOMON	PATRICIA			10147	\$45062.0000	RETIRED	NO	03/21/13
SPARACIO	MARCUS			10144	\$30683.0000	APPOINTED	NO	03/15/13
SPRATLEY	DORIS	J		10144	\$30683.0000	APPOINTED	NO	03/15/13
TANCHAJJA	PAUL	J		12749	\$35538.0000	APPOINTED	YES	03/11/13
THOMAS	BRUNO	A		10144	\$30683.0000	APPOINTED	NO	03/15/13
TUCKER	LOLENA	O		10144	\$30683.0000	APPOINTED	NO	03/15/13
TURNER	SHANELLE	R		10144	\$30683.0000	APPOINTED	NO	03/15/13
UPTON	COLIN	J		21849	\$79965.0000	INCREASE	YES	03/01/13
URRUTIA	MICHAEL	A		70210	\$43644.0000	RESIGNED	NO	03/12/13
VASQUEZ-GOMEZ	MICHELLE			70235	\$98072.0000	RETIRED	NO	03/23/13
VENTRIGLIA	LISA	A		10144	\$30683.0000	APPOINTED	NO	03/15/13
WALKER	SHARON	E		60817	\$35323.0000	RESIGNED	NO	02/26/13
WALLACE	DAHLIA	E		10144	\$30683.0000	APPOINTED	NO	03/15/13
WASSERMAN	MITZI			10144	\$30683.0000	APPOINTED	NO	03/15/13
WATTS	MAUREEN	E		71651	\$36210.0000	RETIRED	NO	03/12/13
WILLIAMS	LAKEISHA	N		10144	\$30683.0000	APPOINTED	NO	03/15/13
WILSON-HAMADOU	ELEANOR	L		10144	\$30683.0000	APPOINTED	NO	03/15/13
WRIGHT	DIANE	M		71012	\$33162.0000	RESIGNED	NO	02/28/13
WYNE	LYDIA	P		10252	\$35285.0000	RETIRED	NO	03/13/13
YOUNG	LAURA	M		12627	\$69353.0000	RETIRED	NO	03/19/13

FIRE DEPARTMENT
FOR PERIOD ENDING 03/29/13

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE
ARNETT	SCOTT			31661	\$39401.0000	APPOINTED	NO	03/06/13
BAINTON	DOUGLAS	J		70310	\$76488.0000	APPOINTED	NO	03/18/13
BIRNHACK	MAYER			54610	\$49471.0000	RESIGNED	YES	02/19/13
CANCEL	ROBERT			53053	\$48153.0000	RETIRED	NO	03/14/13
CHEN	DENNIS	S		53053	\$31931.0000	APPOINTED	NO	02/22/13
CHOWDHURY	OMAR FAR	M		31661	\$39401.0000	RESIGNED	NO	03/07/13
CRUZ	GINA			53053	\$39764.0000	APPOINTED	NO	02/22/13
DEINNOCENTIIS	JESUS	V		53055	\$61025.0000	PROMOTED	NO	08/05/10
FLYNN	PATRICK			53055	\$57206.0000	PROMOTED	NO	08/05/10
FOX	MICHAEL	J		71060	\$80155.0000	RETIRED	NO	03/14/13
FRARACCIO	ANNA			10124	\$60276.0000	INCREASE	NO	03/10/13
GILLESPIE	JAMES	J		70310	\$76488.0000	RETIRED	NO	03/22/13
HEANEY	KEVIN	D		92508	\$35927.0000	APPOINTED	NO	03/10/13
JONES	ANGELA	M		53055	\$61025.0000	PROMOTED	NO	08/05/10
JOSEPH	DOMINIQUE	I		56058	\$45615.0000	APPOINTED	YES	03/10/13
LACLAIR	KEVIN	P		70365	\$112574.0000	RETIRED	NO	03/14/13
LAWRENCE	LA REINA	D		53054	\$50091.0000	RESIGNED	NO	03/15/13
LONGUEIRA	JAIME			81803	\$33682.0000	RETIRED	YES	03/16/13
MANNING	JOHN	F		70365	\$112574.0000	RETIRED	NO	03/12/13
MURPHY	JOSEPH	J		53053	\$31931.0000	APPOINTED	NO	02/22/13
PASTER	JOHN	S		53053	\$39764.0000	INCREASE	NO	03/15/13
PEAN	MARY	D		12627	\$80462.0000	RESIGNED	NO	03/17/13
POLANCO	AMELIE	S		53054	\$59079.0000	RESIGNED	NO	03/06/13

NAME	LAST	FIRST	M	DOB	SALARY	ACTION	PROV	EFF DATE
RIVERA	PETER	G		53053	\$31931.0000	APPOINTED	NO	02/22/13
ADMIN FOR CHILDREN'S SVCS FOR PERIOD ENDING 03/29/13								
TITLE								
ACOSTA	DENISE			52366	\$49561.0000	RESIGNED	NO	03/14/13
BAEZ JR	SANTIAGO			06771	\$56330.0000	RESIGNED	YES	03/17/13
BONNER	LINCOLN			10124	\$51520.0000	RETIRED	NO	03/23/13
CAMPBELL	CAROL	A		52408	\$61574.0000	APPOINTED	NO	03/10/13
CERRETA	RONALD	L		30087	\$53181.0000	INCREASE	YES	03/10/13
CHAN	IRENE			52366	\$49561.0000	RESIGNED	NO	03/09/13
CHIU	BESS			30087	\$53181.0000	RESIGNED	YES	03/16/13
COLE	KAMPTARY			52366	\$46479.0000	TERMINATED	NO	03/18/13
DAVIDSON	SANDRA	M		10056	\$93569.0000	INCREASE	YES	03/10/13
DAVIS	DUANE	K		52295	\$40224.0000	DECREASE	NO	03/13/13
DECIMUS	CARLINE	J		1002A	\$56937.0000	INCREASE	YES	03/17/13
ELLIS	LATIA	D		52295	\$40224.0000	RESIGNED	NO	03/14/13
ENFIELD-SMITH	DARYL			52300	\$49528.0000	PROMOTED	NO	03/10/13
FEGER	STEPHEN	R		1002D	\$88040.0000	RESIGNED	YES	03/10/13
GORDON	SANDRA			12627	\$88649.0000	RESIGNED	NO	03/20/13
GRIFFITH	ISMAY			52408	\$70810.0000	INCREASE	NO	03/10/13
HANIF	SAVITREE			52366	\$49561.0000	APPOINTED	NO	03/17/13
HANNA	MORCOS	L		52300	\$49528.0000	PROMOTED	NO	03/10/13
HENDERSON	TIMOTHY			10016	\$75000.0000	RESIGNED	YES	01/27/13
HUSSEY	PATRICIA	A		10056	\$81336.0000	RETIRED	YES	12/28/12
HUSSEY	PATRICIA	A		51611	\$64424.0000	RETIRED	NO	12/28/12
HYLTON	JAHMANI	W		10056	\$84192.0000	RESIGNED	YES	03/17/13
JEFFRIES	TASHEMA	U		52300	\$49528.0000	PROMOTED	NO	03/10/13
LUM	JOAN			52366	\$49708.0000	RETIRED	NO	03/04/13
MCBETH	MICHELLE	A						

READER'S GUIDE

The City Record (CR) is published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in The City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

NA/11	Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)</i>
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in The City Record