

SUMMARY

The New York City Department of Buildings (DOB) requires a Loft Board Letter of No Objection (LONO) for all proposed work in the non-interim multiple dwelling (“IMD”) spaces of IMD buildings, whether the owner or a tenant proposes the work. To get a LONO from the Loft Board, an owner must comply with all Loft Board rules. Specifically:

1. the annual IMD registration must be current
2. all outstanding fines and fees must be paid
3. quarterly Legalization Progress Reports must be submitted
4. owner must demonstrate that it is taking all reasonable and necessary steps to legalize the IMD units in the building.

In addition, if the building already has a Certificate of Occupancy for the IMD spaces, the owner must submit all necessary filings to have the building removed from the Loft Board's jurisdiction before a LONO will be issued. The job description on the PW-1 and in the request must indicate no change in use egress or occupancy.

APPLICATION

The request for a Letter of No Objection cannot be processed unless it includes:

- a letter outlining the scope and location of the proposed work
- a complete copy of the Letter of No Objection Form available [online](#)
- a copy of the current qua report in accordance with §2-01.1(a)(1)(ii) of the Loft Board rules
- a copy of the submitted alteration application – DOB Plan/Work Approval Application (PW1)
- a copy of the DOB objection sheet/required items list, with the requirement to obtain a Loft Board Certificate as the only remaining DOB objection; **and**
- a stamped copy of the corresponding architectural drawings or plans with DOB bar codes, no larger than 14 inches wide by 17 inches long.

LONO REQUESTS

All requests must be sent to nycloftboardlono@buildings.nyc.gov. The Loft Board's staff may request additional information or documentation, as it deems necessary in its review of the LONO request. **If the applicant does not respond to the Loft Board staff's request within ten (10) calendar days of the request, the request will be deemed to be withdrawn.** Requests for LONOs may take between 4 and 6 weeks to be processed and an answered provided.

Information or responses to questions provided by the Loft Board representative during the NSC are advisory only. The specifics or nature of communication made at the conference are not admissible as evidence in any Loft Board proceedings.

APPROVAL

Once a LONO is issued the original letter will be available for pick up Monday through Friday from 9:00am to 4:00pm at 280 Broadway, 1st floor in the Customer Service Atrium. Please contact Loft Board staff when you arrive by calling **(212) 393-2626** and go to window number 2 to be serviced. If there is a hold on the building the hold must be lifted by Loft Board staff. All requests to lift holds must be sent to nycloftboardhold@buildings.nyc.gov.

DENIAL

A LONO request may be denied for failing to submit a complete application or any (but not limited to) the following reasons:

1. The owner has failed to exercise reasonable and necessary action to do the legalization work necessary to obtain a final certificate of occupancy, in that: (1) The owner must file a narrative statement upon all affected parties pursuant to Title 29 of the Rules of the City of New York § 2-01.; and (2) The alteration type 1 permit for legalization work has expired and has not been renewed (3) The Temporary Certificate of Occupancy (TCO) for the residential portions of the subject building has expired and has not been renewed.
2. The scope of work proposed impacts the IMD units. The owner must file a narrative statement pursuant to 29 RCNY § 2-01(d).
3. Box 26 of the PW1 regarding owner's certification of occupied housing (remain occupied) is currently marked *NO*. The owner of the building **must either**: submit a signed notarized letter stating that the building is not residentially occupied; or if the building is residentially occupied, owner must correct the PW1, Box 26 to say *YES* for occupied housing, re-sign and re-date and applicant must prepare and execute a tenant protection plan. (TPP)
4. Every project application must have its own distinct TPP. All items must be addressed. Each TPP must be specific and customized to the conditions and requirements of the particular project.
5. The DOB required items or the plan examiner objection sheet for the above-referenced alteration application has not been cleared. The required items list/objection sheet must be cleared, but for the requirement for a Loft Board certificate.
6. Once the Loft Board issues a Loft Board certification, 29 RCNY § 2-01.1(a)(1)(ii)(A) requires IMD building owners who have not obtained a final residential certificate of occupancy for the IMD units to file Legalization Progress Reports with the Loft Board by the first business day of each month until a final certificate of occupancy is obtained.