

C O P Y

THE CITY OF NEW YORK  
HOUSING AND DEVELOPMENT ADMINISTRATION  
DEPARTMENT OF BUILDINGS

Multiple Dwellings -  
Combining Apartments

DEPARTMENTAL MEMORANDUM

DATE: Feb. 24, 1969

TO: Borough Superintendents

FROM: Thomas V. Burke,  
Director of Operations

SUBJECT: Combining Apartments to Create Larger Residential Units

The procedures for combining apartments described in a memorandum issued on June 23, 1967 is superseded by this memorandum which is a result of the approval of Local Law 77 by Mayor John V. Lindsay. This law became effective November 27, 1968. A Copy of Local Law 77 is attached.

The New York City Charter is amended so as to eliminate the necessity of obtaining a Certificate of Occupancy where the alteration consists of combining two or more apartments to create larger residential units resulting in a decrease in the total legal number of families within the building. A Building Notice Application must be filed in the office of the Borough Superintendent, together with plans showing the floors to be altered. The examination of the plans will be limited to the apartments being altered. The examination of plans are to be expedited as per Directive No. 9 of September 10, 1968 Item I paragraph (1).

The following standards will govern for the purpose whether in old law or in new law tenements:

- a) Enlargement of existing legal rooms will not be required. Small rooms may be eliminated.
- b) Rooms used for living purposes should have a window, skylight or alcove opening in conformance with Multiple Dwelling Law Section 213 (5).
- c) Existing water closets, bathtubs and washbasins may be retained.
- d) Existing bathtubs may be enclosed to create bath compartments, ventilated by a fixed louvre to an adjoining room or water closet compartment or by a lower than ceiling-high partition adjoining the water closet compartment. The bath compartment will not be deemed to reduce the size of the room if the room still has a minimum area of 70 square feet and a minimum dimension of seven feet, except than in an old law tenement the minimum width may be six feet.