

1 RCNY §3-04

CHAPTER 3 VACANT AND UNGUARDED BUILDINGS

3-04 Obtaining Access to Keys of Premises Sealed Pursuant to §26-127.2 of the Administrative Code.

(a) *Submission of Request.* Persons wishing to have access to the keys to a premises sealed by the Department of Buildings pursuant to §26-127.2 of the Administrative Code must appear in person at the Executive Offices of the New York City Department of Buildings. At this time they must submit the form, "Request for Access to Premises Sealed for Zoning Violations," with section "A - Ownership Interest" and "B - Statement of Intent" both completed and notarized. Copies of the form are available from the Administrative Enforcement Unit ("AEU") at the Executive Offices of the Department of Buildings.

(b) *Verification of ownership interest.* (1) The AEU reviews the form to verify an ownership or leasehold interest in the premises. The person seeking to obtain access must provide the AEU with some identification including a photograph (e.g. driver's license, passport) and whatever document establishes the person's ownership or leasehold interest in the premises. Examples of such documents include the following:

- (i) a copy of a recorded deed;
- (ii) a signed lease, along with the owner's name(s), address(es) and telephone number(s);
- (iii) a mortgage agreement;
- (iv) a State certified Certificate of Incorporation;
- (v) signed partnership documents; and
- (vi) any other document deemed accepted by the Commissioner.

(2) A representative of AEU shall review the above documentation to verify ownership interest. If ownership interest is verified, the representative will sign and date the form where indicated. A copy of the signed form shall be provided to the person seeking to obtain access.

(c) *Obtaining the key.* (1) Once the AEU signs the form verifying ownership interest, the person seeking to obtain access must submit copies of the following documents to the AEU:

- (i) Form entitled "Request for Access to Premises Sealed for Zoning Violations," with section A signed by AEU;
- (ii) the sealing order;
- (iii) any other document deemed necessary by the commissioner.

(2) A representative of the AEU will review the above documentation to determine if the person has the requisite need to gain access to the premises. If it is determined that access should be granted, the representative of the AEU will:

- (i) have a photograph taken of the person seeking to obtain access, initial the photograph and attach it to the form;
- (ii) obtain a copy of the identification including a photograph (i.e. driver's license, passport) and attach it to the form;
- (iii) indicate on the form reasons for granting access;

(iv) specify on the form the date by which the keys must be returned;

- (v) sign the form; and
- (vi) give a copy of both sides of the completed form to the person receiving the key.

(d) *Returning the key.* (1) All keys must be returned to the AEU by the date indicated on the form.

(2) If a sealing order has been rescinded, all locks and chains must be returned with the keys.

(3) In order to obtain an extension of time for keeping the key, the original person seeking access must appear in person at the AEU with the key and a notarized letter stating the reason for this request and, if accepted, will note the new return date on the original form and initial the change. The notarized letter will be attached to the original form.