

Bulletin to Property Owners – June 2022

Dear Property Owners,

The Department of Housing Preservation and Development (HPD) periodically provides updates on new legislation and information on available materials and resources to residential building owners to support compliance with the New York City Housing Maintenance Code, the New York State Multiple Dwelling Law and other relevant city codes. Visit the [HPD website](#) to read this bulletin (and past bulletins) in other languages.

This publication is intended for informational purposes only and is not intended as legal advice. This information is not a complete or final statement of all the duties of owners and tenants regarding laws and rules relating to housing in New York City.

Certificate of No Harassment (CONH)

Local Law 140 of 2021 (effective October 31, 2021) extends and amends the Certification of No Harassment Pilot Program until September 27, 2026. It requires owners of certain buildings to obtain a Certification of No Harassment (CONH) from the Department of Housing Preservation and Development prior to acquiring permits from the Department of Buildings (DOB) for covered work. As set forth in more detail in the law and rules of the City of New York, covered work includes: (1) demolition of all or part of the Pilot Program Building, other than interior demolition conducted in the course of renovation of occupied units to repair the units where the issuance of the permit is necessary to perform work to address a public health and safety issue that has resulted in the issuance of a violation by a City agency; (2) change of use or occupancy of all or part of a unit or part of the building serving units; (3) any alteration resulting in the addition or removal of kitchens or bathrooms, an increase or decrease in the number of dwelling units, or any change to the layout, configuration, or location of any portion of any dwelling unit; (4) an application for a new or amended certificate of occupancy; and (5) removal of a central heating system and replacement with an individually metered heating system.

Buildings subject to the Pilot Program include: (1) buildings with significant distress as determined by the [Building Qualification Index](#), (2) buildings that are the subject of a full vacate order (except for vacates issued due to fire) between October 21, 2016 and October 31, 2021, (3) buildings issued an Order and then discharged from the Alternative Enforcement Program on or after October 31, 2021, (4) buildings where an administrator appointed under the 7A Program has been discharged after October 31, 2021 unless the building is the subject of a rehabilitation loan from HPD or HDC, and (5) buildings where there has been a determination of harassment after October 31, 2016 by a court or by New York State Homes and Community Renewal.

As a reminder, Single Room Occupancy buildings and Buildings in several Special Districts throughout the City are also required to obtain a Certification of No Harassment before covered work can be done. These buildings are subject to a separate statute and rules.

To learn more about the CONH Pilot Program, to see a listing of the buildings affected by the Local law 140 of 2021, to access HPD's Online portal for the submission of a CONH application or to obtain a

paper application for the program, please visit: <https://www1.nyc.gov/site/hpd/services-and-information/certification-of-no-harassment-conh.page>

Department of Buildings (DOB)

“You’re invited to “**Buildings After Hours**” – the New York City Department of Buildings has extended hours at their [borough offices](#) (4:00pm to 7:00pm) every Tuesday to make it easier for homeowners, small business owners, tenants, and building managers to get DOB questions answered. No appointment required!