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ISSUANCE #386

LEGAL
POLICY AND PROCEDURE NOTICE # 4/92

TO: DISTRIBUTION

FROM: CAROLE S. SLATER *CS*
General Counsel and Director
Office of Legal Affairs

RE: DOB Variance of MDL §277 Requirements
Legalization of Residential Lofts
Multiple Dwelling Law Amendments of 1992

DATE: December 3, 1992

This PPN amends Legal PPN #3/92 dated October 13, 1992.

PURPOSE: To inform interested parties of the recent amendment to §277 of the Multiple Dwelling Law ("MDL"). Said amendment authorizes the Commissioner of Buildings to vary the requirements of MDL §277.

EFFECTIVE DATE: Immediately

SPECIFICS: In 1992, the New York State Legislature amended Multiple Dwelling Law §277 by adding a new subdivision 16, which allows the Commissioner to vary the requirements and standards found in MDL §277 pursuant to New York City Charter §645(b)(2). Coverage of a building under MDL Article 7-C may be considered in determining an application for a variance based on hardship pursuant to MDL §277(16).

The Board of Standards and Appeals' jurisdiction is unaffected and applicants can continue to apply for a variance from the MDL §277 requirements pursuant to New York City Charter §666(8).