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ISSUANCE #386

LEGAL
POLICY AND PROCEDURE NOTICE # 4/92

TO: DISTRIBUTION

FROM: CAROLE S. SLATER
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 the 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).