

**COMBINING
B
APART
MENTS IN
NYC**

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CONDOS, CO-OPS & RENTAL UNITS

TPPN 3/97 allows combination with an Alteration Type 2.

Horizontal and vertical combinations are allowed without a change in the Certificate of Occupancy in Co-ops and Rentals. Vertical combinations are limited to 2 floors maximum, connected by an interior stair.

Prior to that you could only combine units in Old and New Law Tenements without changing the Certificate of Occupancy (C of O).

Coops and Rentals are straightforward - no change in C of O.

Condos require a change of C of O.

You also have to change the declaration (the official record of the owners' rights and duties pursuant to receiving title to the condominium) for the building. Form RP 602 - Condominiums - New tentative tax lot number must be filed with Dept. of Finance prior to filing.

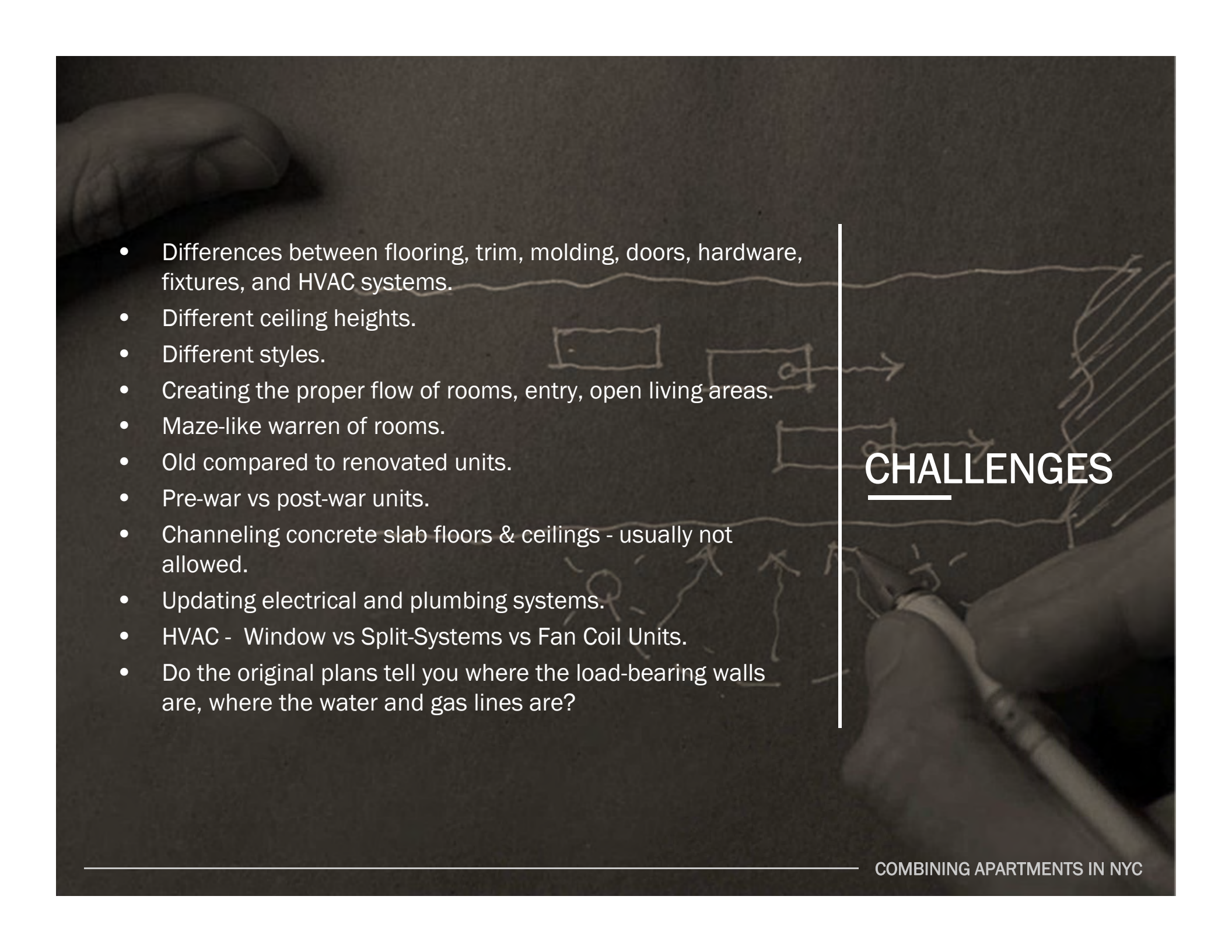

$$\underline{1 + 1 = ?}$$

Combined apartments are known to have quirky layouts.

Square footage was increased, but...

- Long hallways that snake through a maze of many small rooms.
- Many bedrooms, and lots of wasted space.
- The actual living space is often cramped and awkward.

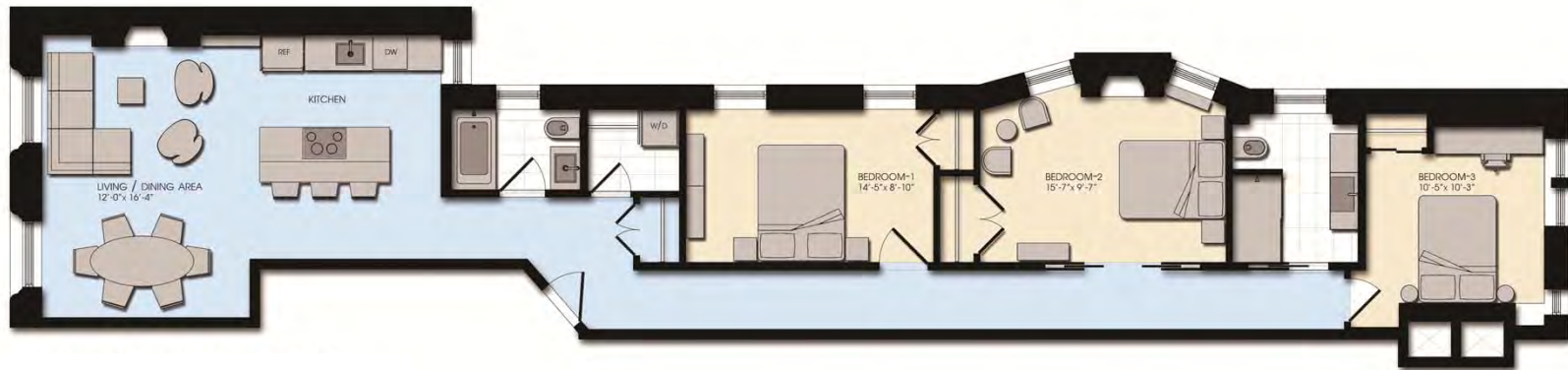


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- Differences between flooring, trim, molding, doors, hardware, fixtures, and HVAC systems.
 - Different ceiling heights.
 - Different styles.
 - Creating the proper flow of rooms, entry, open living areas.
 - Maze-like warren of rooms.
 - Old compared to renovated units.
 - Pre-war vs post-war units.
 - Channeling concrete slab floors & ceilings - usually not allowed.
 - Updating electrical and plumbing systems.
 - HVAC - Window vs Split-Systems vs Fan Coil Units.
 - Do the original plans tell you where the load-bearing walls are, where the water and gas lines are?

CHALLENGES

FIRST STEPS

- 1** Consult with the Building Manager and Super for advice before submitting plans to the board.
- 2** No approval before building reviews the plans—some buildings don't even allow this type of thing at all. Almost every building has an **Alteration Agreement**.
- 3** Then, plans must be filed with the New York City Department of Buildings (DOB), Landmarks Preservation Commission (LPC) or the appropriate municipal agency in your community.
- 4** *The bottom line — go well-prepared...*



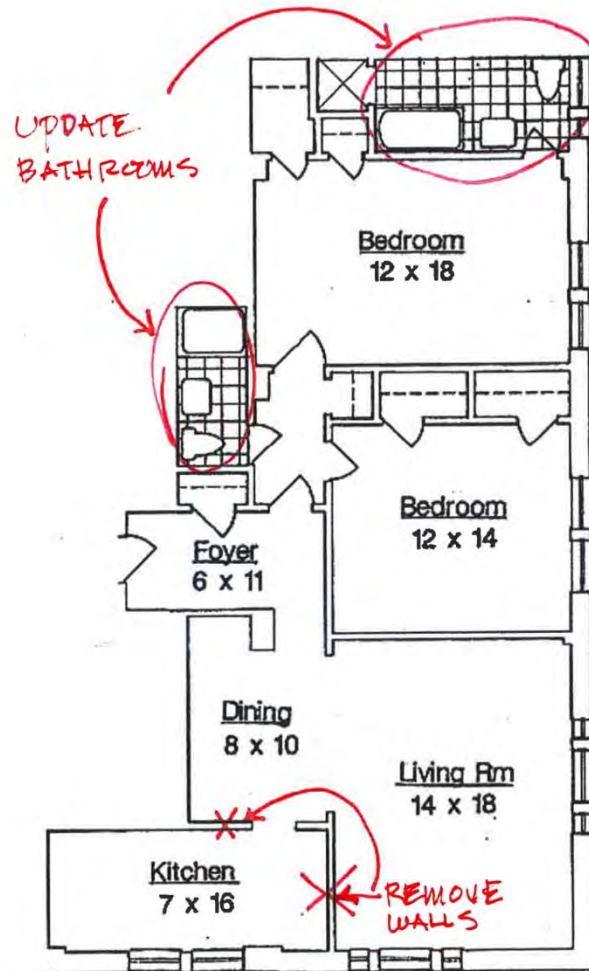
SCHEMATIC DESIGN PLAN

It should be an attractive color rendering to impress the board.

Include the estimated costs for the project

It will also show how this work might increase value, not only in the unit but in the whole building as well.

WHAT NOT TO SHOW



THIS WORKS BETTER



Kitchen - SK- 7

KOHN architecture



Kitchen - SK- 7

KOHN architecture



Kitchen - SK- 7

KOHN architecture



Kitchen - SK- 7

KOHN architecture



BUILDING RULES

Alteration Agreement

Building Architect Review – Tenant usually pays

Work hours, summer and holiday restrictions

Dust & noise restrictions

Approved contractors

Insurance requirements

Building Standards - Type of work that can be done

Horizontal vs Vertical combinations

Construction limitations: Wet over wet, no channeling the slab, replacing plumbing lines back to the risers, etc.

Money in escrow for potential building damages



BUILDING CODE

- Light & Air for habitable rooms must be maintained
- Egress must not be altered
- 2nd Kitchen must be eliminated. Unless plumbing connected can be reused for Washer, Dryer, Sink, Bar Sink, new Bathroom
- MDL (Multiple Dwelling Law)
- Housing & Maintenance Code
- ADA requirements - applies to any building with an elevator - you break it, you own it
- Alterations can follow the relevant code for the building, with the exceptions of plumbing, electrical, sprinkler, structural, energy, etc - must follow current code 2014.
- Rent Controlled Units in the Building - TPP1 form – owner/architect must inform DHCR if work will impact a RC unit.
- Room Count - for buildings that have a room count on the C of O, the 2008 Building Code Section 28-118.3.1 eliminated the requirement for a change of C of O based on room count



OTHER CONSIDERATIONS

- If electrical and plumbing are going to be changed, you must have a report from an engineer that describes what impact, if any, it will have on the overall building systems and what the building might experience in terms of down time.
- Sound proofing - Are carpets required? Floors sound proofed? Ceilings sound proofed?
- Structural work - Connecting stairs typically require a structural engineer. Removing bearing walls do also. Some buildings do not allow removing structural bearing walls.
- Professional Self Certification - Some buildings allow it, others don't. This allows an architect or engineer to take responsibility, without DOB review, of the job. Faster turn-around but, has liability issues for the professional and the building.
- Can you purchase floor area from the Common Areas? Additional costs, taxes and maintenance impact for owner.
- Insurance Requirements - Additional Insured Owner, Building, Board - GC, Subs, Architect

IMPORTANT THINGS TO KNOW

Local Law 38 – Lead Paint

If you work on pre-1978 homes and child-occupied facilities where lead-based paints are disturbed (including certain repairs, maintenance and painting activities), you must have a contractor trained in lead-safe work practices. The U.S. Environmental Protection Agency (EPA) requires that if you disturb more than 6 square feet of interior surface or 20 square feet of exterior surface, the contractor must be certified in Renovation, Repair and Painting (RRP Rule).

Asbestos Testing

Buildings built after 1987 are exempt from asbestos testing. Otherwise testing has to be done to determine whether the site is asbestos-free, has a minimally acceptable amount of ACM not be an Asbestos Project (ACP-5 form), or requires asbestos abatement per NYC Department of Environmental Protection (DEP) rules and regulations (ACP-7 & ACP-21 forms).

MORE IMPORTANT THINGS TO KNOW

Contractors

Pick an experienced contractor with many years of NYC residential construction work —someone experienced in dust control, lead abatement procedure, insurance with high limits, and a resume to give to the board. Often a building will have an pre-approved contractor or list of contractors that have worked in the building before and the building trusts.

Contractors must be licensed, have the proper applications, liability insurance and worker's compensation. Separate Work Permits for Construction, Plumbing and Electrical work must be obtained before construction can begin.

Schedule

Often the building will set a deadline for the construction - penalties are assessed for lateness.

Summer Work rules? Memorial through Labor Day.

Living in the apartment vs moving out temporarily while work is being done.

Access to other apartments, asking permission rather than forgiveness.



FINALLY

To avoid serious problems during apartment-combining projects, competence and compliance are key. Make sure you have a good architect and engineer, seasoned legal representation, experienced, contractors, and that you cross your t's and dot your i's when it comes to board/management approval and documentation requirements.

With those aspects managed, your life will be easier and the apartments value and square footage will grow without causing undue difficulty.

EXAMPLES



EXISTING

APARTMENT 7A - 1452 SF

- (2) BEDROOMS
- (1) LIVING/DINING ROOM
- (1) KITCHEN
- (2) BATHROOMS - FULL
- (1) BATHROOM - HALF
- (1) STUDY

APARTMENT 7B - 2358 SF

- (3) BEDROOMS
- (1) LIVING/DINING ROOM
- (1) KITCHEN
- (2) BATHROOMS - FULL
- (1) BATHROOM - HALF
- (1) STUDY

POST WAR APARTMENT COMBINATION

COMBINING APARTMENTS IN NYC



DEMOLITION

POST WAR APARTMENT COMBINATION

COMBINING APARTMENTS IN NYC



COMBINED

APARTMENT 7 - 3810 SF

- (4) BEDROOMS
- (1) LIVING ROOM
- (1) DINING ROOM
- (1) FAMILY ROOM
- (1) KITCHEN
- (4) BATHROOMS - FULL
- (2) BATHROOM - HALF
- (1) STORAGE

POST WAR APARTMENT COMBINATION

COMBINING APARTMENTS IN NYC



EXISTING

APARTMENT 4F - 426 SF

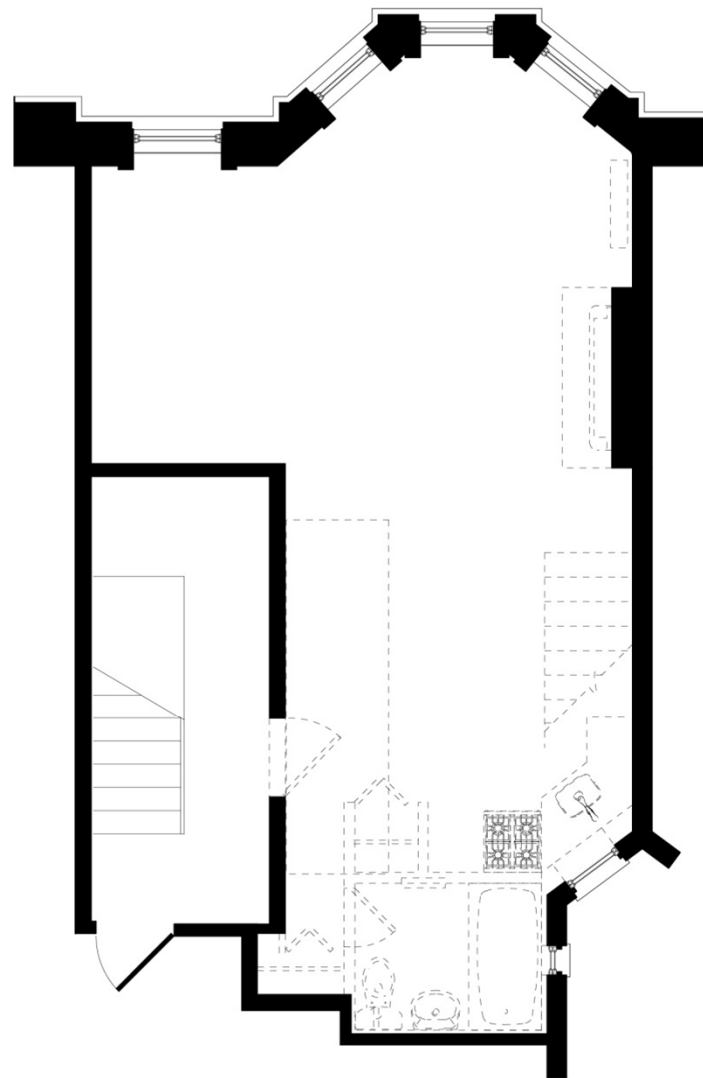
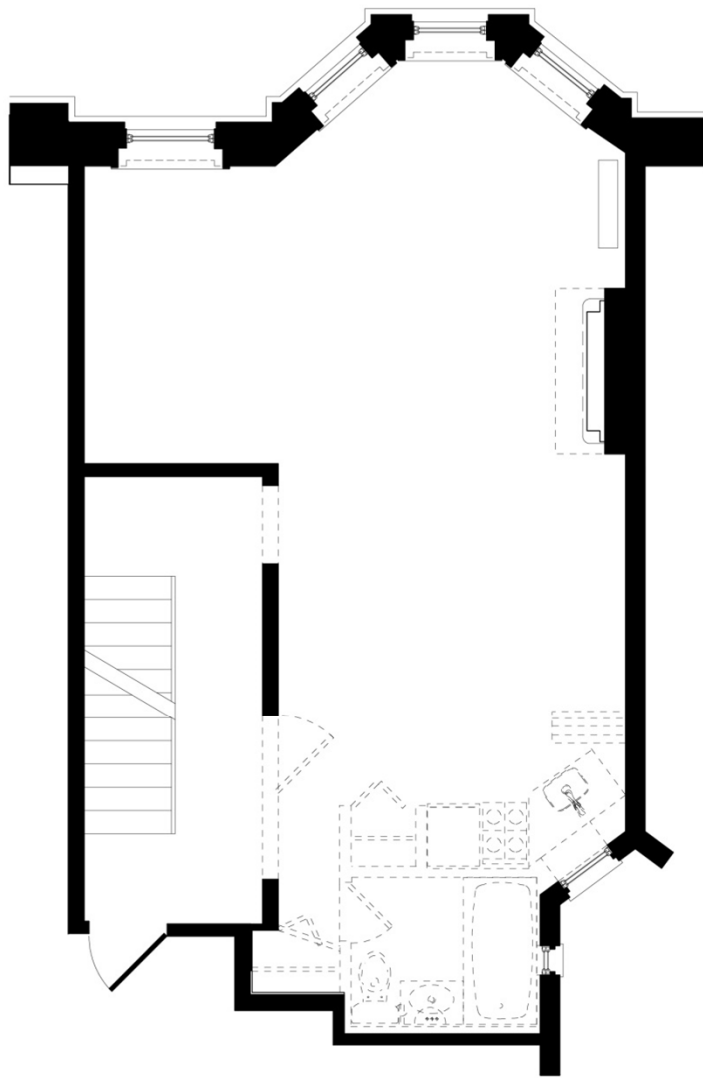
- (2) BEDROOM ALCOVE
- (1) LIVING/DINING ROOM
- (1) KITCHENETTE
- (2) BATHROOMS - FULL

APARTMENT 3F - 425 SF

- (2) BEDROOM ALCOVE
- (1) LIVING/DINING ROOM
- (1) KITCHENETTE
- (2) BATHROOMS - FULL

DUPLEX APARTMENT COMBINATION

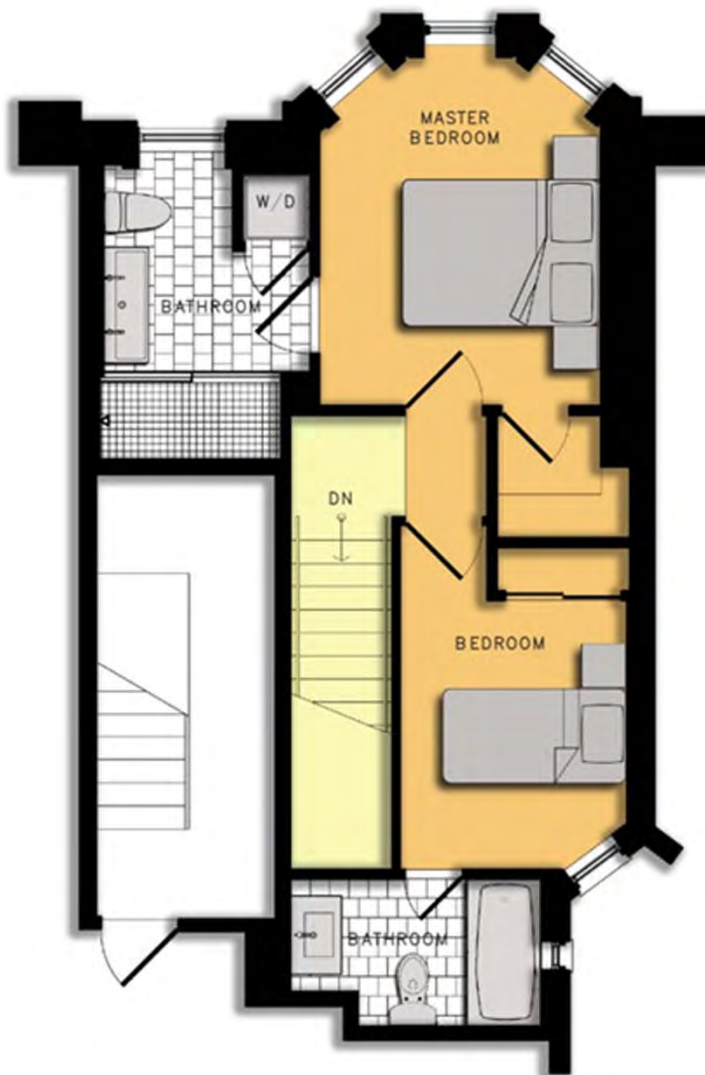
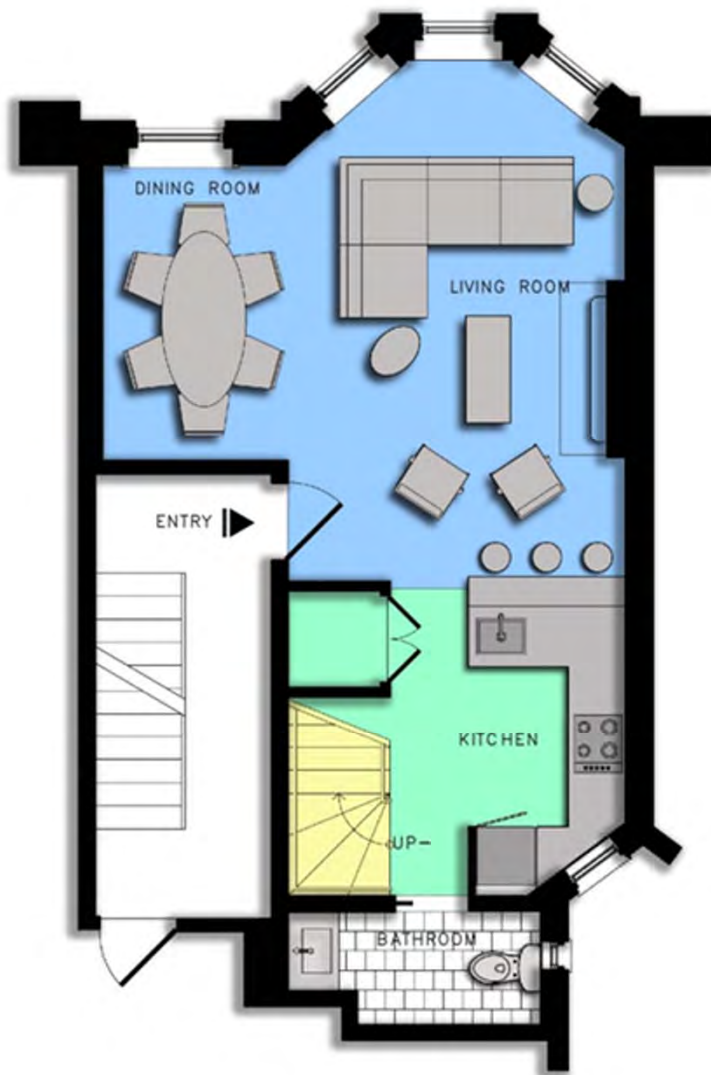
COMBINING APARTMENTS IN NYC



DEMOLITION

DUPLEX APARTMENT COMBINATION

COMBINING APARTMENTS IN NYC



EXISTING

APARTMENT 3F- 851 SF

- (2) BEDROOMS
- (1) LIVING ROOM
- (1) DINING ROOM
- (2) KITCHEN
- (2) BATHROOM - FULL
- (1) BATHROOM - HALF

DUPLEX APARTMENT COMBINATION

COMBINING APARTMENTS IN NYC

EXISTING

APARTMENT 4F - 600 SF

- (1) BEDROOM
- (1) LIVING/DINING ROOM
- (1) KITCHEN
- (1) BATHROOMS – FULL

APARTMENT 4R - 445 SF

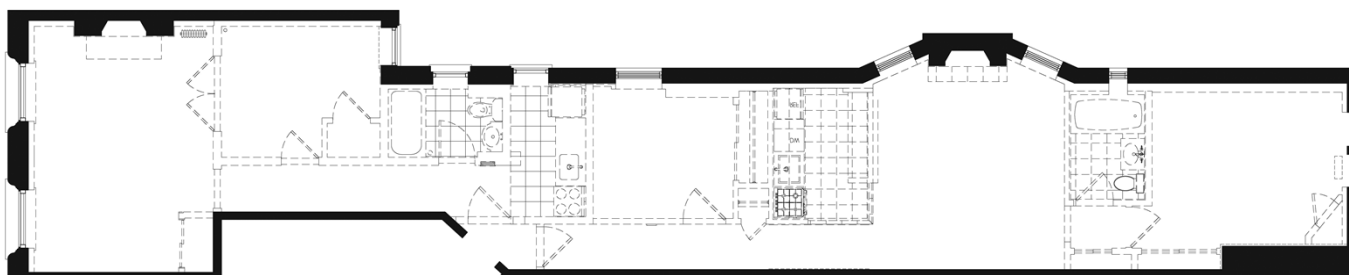
- (2) BEDROOMS
- (1) LIVING/DINING ROOM
- (1) KITCHEN
- (1) BATHROOMS - FULL

DEMOLITION

COMBINED

APARTMENT 4R - 1045 SF

- (3) BEDROOMS
- (1) LIVING/DINING ROOM
- (1) KITCHEN
- (2) BATHROOMS - FULL
- (1) WASH ROOM



OLD LAW TENEMENT APARTMENT COMBINATION