



CONDOMINIUM APPORTIONMENT AND APPROVAL PROCESS

This procedure outlines what Finance requires to apportion and approve a new condominium. Our goal is to make sure the public understands our review process and knows exactly what information and documents are required.

I. Background

The New York State Real Property Law (RP §339) lists the legal requirements and necessary documents for Finance to create and assess condominiums. The most important documents we need are the declaration (RPL §339-n) and the floor plan (RPL §339-p). Also, it is important that the information you give to Finance is correct and consistent on all documents.

II. Condominium Apportionment & Approval Process

Step 1 - Request Lot Assignment

Complete your Application for Condominium Apportionment and Approval (RP-602C) online at nyc.gov/finance/property, and request your new lots. Upon approval of your request, print out the application, and Payment invoice for the lots requested. Payment for the lot should be made at the Department of Finance Payment center. Please note, prior to submission the application must be signed, and the diagram of the lot configuration affixed to the application.

Submit your completed Application for Condominium Apportionment and Approval (RP-602C) along with receipt of payment to the Tax Map Office. Tax Map Office will assign a Condominium Number to the project and a lot numbers for each condo unit.

- **New Lot Assignment and Fees:** The Tax Map Office now issues new lot numbers for all apportionments, including condominiums, in a one step process (eliminating the assignment of "tentative" and "final" lots). Finance collects a single fee (\$73) for each new lot number, payable at the time of the initial request.

Step 2 - Submit Completed Condominium Application Package

Once you have received approval to proceed from the Attorney General's office and the New York City Department of Buildings, submit your completed *Application for Condominium Apportionment and Approval* package to the Tax Map Office. Finance can only approve completed packages, which consist of the following:

1. Completed and signed *Application for Condominium Apportionment and Approval*.
2. Two copies of the floor plans with professional seal and signature. Floor plans must be notarized.
3. Two copies of condo declaration (Schedule B) and by-laws. Be sure to include exhibits and sign and notarize the documents.
 - 4a. Two copies of the Effectiveness Amendment to the Offering Plan and the Attorney General's Acceptance Letter for that amendment; or
 - 4b) Two copies of the Application to the Attorney General for a "No Action Letter" and the "No Action Letter" issued by the Attorney General; or
 - 4c) For a condominium offering of five (5) or fewer units pursuant to 13 NYCRR PART 20, two copies of the Notice served on the purchasers pursuant to 13 NYCRR 20.3 (q)(2) and two copies of the Affidavit of service of such notice(s).

- **New Electronic Condominium Apportionment Worksheet:** Go online into application and complete the electronic worksheet, and submit electronically to the Tax Map Office. Upon completion of the electronic worksheet, print a copy of the worksheet and include it with your completed application package.

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(Step 2 - continued)

The Tax Map Office will approve your application quickly and efficiently if you have:

- ✓ Paid your filing fees;
- ✓ No outstanding real estate taxes, charges or liens.
- ✓ The information on all of your documents is consistent, for example:
 - The **declarant or sponsor's name** is the same on all documents
 - The **condominium's name and address** is the same on all documents
 - The **block and lot numbers** listed on Schedule B must be the same as the numbers assigned by the Tax Map Office and match the floor plans
 - **Unit designations** are the same on all documents
 - **Floor plans** match the declaration
- ✓ The common interest percentages for all units equals 100%, rounded to four decimal points.
- ✓ The deed must also indicate property ownership in the name of the sponsor/declarant for the land to be apportioned.

NOTE: If your application is incomplete or the information contained in your documents are inconsistent, we cannot approve your condominium. We will return the package to you to correct and resubmit to Finance.

Step 3 - Condominium Approval

When we receive your completed package, Finance will verify:

1. The package contains the documents listed above;
2. The declarant/sponsor is the grantee on the last recorded deed for the property;
3. Common interest percentages for all units equals 100% rounded to four decimal points;
4. The declaration (Schedule B) is complete. The law (RPL §339-n) requires the following items to be included:
 - the number of stories, basements, cellars;
 - the number of units;
 - a description of the common elements;
 - a statement of the common interest of each unit owner; and
 - the statement of uses (commercial or residential) for which the building and each unit is intended.
5. There are no open real estate taxes or other agency charges; and
6. The Department of Buildings has approved the plans for zoning lot conformity.

The Tax Map Office will then issue a certification directly on the plans that the lot numbers noted on the floor plans match the official tax map lot numbers.

Step 4 - Condominium Lot Apportionment

Once the Tax Map Office certifies the floor plans, the owner must then record the condominium declaration using the Automated City Register Information System (ACRIS). Once the declaration is recorded, the Tax Map Office will apportion the condominium lots on the City's Digital Tax Map. Finance will then upload the condominium application worksheet directly to the agency's assessment and billing system.

Return Completed Condominium Apportionment and Approval Packages to:

NYC Department of Finance
Division of Land Records – Tax Map Office
66 John Street, 13th Floor
New York, NY 10038