§ 301. Certificate of compliance or occupancy. 1. No multiple dwelling shall be occupied in whole or in part until the issuance of a certificate by the department that said dwelling conforms in all respects to the requirements of this chapter, to the building code and rules and to all other applicable law, except that no such certificate shall be required in the case of:

a. Any class B multiple dwelling existing on April eighteenth, nineteen hundred twenty-nine, for which a certificate of occupancy was not required before such date and in which no changes or alterations have been made except in compliance with this chapter, and

b. Any old-law tenement, or any class A multiple dwelling erected after April twelfth, nineteen hundred one, which was occupied for two years immediately before January first, nineteen hundred nine, and in which no changes or alterations have been made except in compliance with the tenement house law or this chapter, or wherein:

(1) two or more apartments are combined creating larger residential units, and

(2) the total legal number of families within the building is being decreased, and

(3) the bulk of the buildings is not being increased

These exceptions shall not be deemed to relieve any owner from the obligation to make every alteration required in any old-law tenement or other multiple dwelling in compliance with the applicable provisions of this chapter.

2. Except as above provided, no dwelling constructed as or altered or converted into a multiple dwelling after April eighteenth, nineteen hundred twenty-nine, shall be occupied in whole or in part until the issuance of a certificate of compliance or occupancy.

3. Such certificate shall be issued within ten days after written application therefor if the dwelling shall be entitled thereto. The department shall, on request of the owner or of his certified agent, issue a certificate of compliance or occupancy for any existing multiple

dwelling not requiring such certificate, provided that, after an inspection by the department, no violations are found against such dwelling.

4. The head of the department may, on the request of the owner or his certified agent, issue a temporary certificate of compliance or occupancy for a multiple dwelling or a section or a part thereof for a period of ninety days or less, provided that such certificate shall bear the endorsement that the dwelling has been inspected by the department and complies with all the requirements of this chapter, and that such temporary occupancy will not jeopardize life, health or property. Such temporary certificate may be renewed at the discretion of the head of the department for similar periods but shall not extend, together with such renewals, beyond a total period of two years from the date of its original issuance.

5. A certificate, a record in the department, or a statement signed by the head of the department that a certificate has been issued, may be relied upon by every person who in good faith purchases a multiple dwelling or who in good faith lends money upon the security of a mortgage covering such a dwelling. Whenever any person has so relied upon such a certificate, no claim that such dwelling had not, prior to the issuance of such certificate, conformed in all respects to the provisions of this chapter shall be made against such person or against the interest of such person in a multiple dwelling to which such a certificate applies or concerning which such a statement has been issued.

6. Notwithstanding any general or local law to the contrary, a certificate issued for any multiple dwelling organized pursuant to the provisions of article nine-B of the real property law, shall be deemed issued for each dwelling unit contained within such multiple dwelling in full compliance with the requirements of this section.

7. a. Any certificate by the department authorizing occupancy of a dwelling as a Class B hotel shall also authorize occupancy of units in such dwelling for permanent residence purposes notwithstanding any

provision of this chapter or of any state law, local law, ordinance, resolution or regulation that would otherwise prohibit such occupancy, require a change or alteration to the dwelling, or require a new or amended certificate, provided that: (1) such occupancy for permanent residence purposes shall be subject to the approval of the local housing agency in its discretion; (2) a portion of such dwelling shall be located within a district that under the local zoning regulations or ordinances permits residential uses or within four hundred feet of such a district, and such dwelling shall not be located in an industrial business zone established pursuant to chapter six-D of title twenty-two of the administrative code of the city of New York; (3) in the case of a property at which any hotel workers are represented by a collective bargaining representative, prior to the proposed conversion of such property to occupancy for permanent residence purposes, the collective bargaining representative shall be notified in writing of the proposed conversion, and the property owner shall certify prior to the local housing agency approving such occupancy that the collective bargaining representative has mutually agreed in a separate writing with the property owner to undertake the specific conversion described in the written notice; and (4) such dwelling shall meet the conditions in paragraph b of this subdivision. Alterations to the configuration of any such units shall be permitted and shall comply with any applicable requirements of any state law, local law, ordinance, resolution or regulation relating to Class B hotels. If occupancy for permanent residence purposes is authorized under the provisions of this subdivision within a district where the local zoning regulations or ordinances would not otherwise permit such use, the residential tenants shall be notified of the district's zoning.

b. Occupancy of units in a dwelling shall not be authorized under the provisions of paragraph a of this subdivision unless such units are (1) financed by the state pursuant to and in compliance with the provisions of article thirty-one of the private housing finance law; or (2) purchased, acquired, or financed by a local housing agency, for the purpose of creating supportive and/or affordable housing to be operated by an appropriate nonprofit organization pursuant to a regulatory agreement or contract with such local agency for low-income households

or people experiencing homelessness immediately prior to entering such housing, where tenants shall earn no more than sixty percent of the area median income and all units are rent stabilized and subject to permanent affordability restrictions. For purposes of this paragraph, "appropriate nonprofit organization", "affordable housing", "experiencing homelessness", "rent stabilized", and "permanent affordability restrictions" shall have the same meaning as defined in article thirty-one of the private housing finance law.