§ 302. Certificate of 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, except that no such certificate shall be required for any multiple dwelling existing on July first, nineteen hundred fifty-two, for which a certificate of occupancy was not required before such date and in which no changes or alterations commenced on or after such date have been made except in compliance with this chapter, and except that a certificate shall be required prior to July first, nineteen hundred fifty-seven for any dwelling, the plans for the alteration or conversion of which to multiple dwelling occupancy were on file with the department or a permit authorizing such conversion was issued before such date and for which a certificate of occupancy upon completion of such conversion or alteration was not required before such date. This exception shall not be deemed to relieve any owner from the obligation to make such dwelling comply with the applicable provisions of this chapter.

2. Except as above provided, no dwelling constructed as or altered or converted into a multiple dwelling on or after July first, nineteen hundred fifty-two, shall be occupied in whole or in part until the issuance of a certificate of occupancy.

3. The department shall, on request of the owner or of his certified agent, issue a certificate of occupancy for any old multiple dwelling not requiring such certificate, provided that, after an inspection by the department, no violations are found against such dwelling.

4. A certificate of occupancy shall be issued within ten days after written application therefor, if the dwelling shall be entitled thereto. When the department does not issue such certificate within ten days, the head of the department shall, on the request of the owner or his certified agent, issue a temporary certificate of 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 one year 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 his successor in title or ownership with respect to such multiple dwelling or mortgage, or against the interest of any such person with respect thereto.

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.