



Policy Statement 90-6 (March 23, 1990)

MCI Eligibility / Roofing

This Policy Statement is being issued to clarify the eligibility of roofing installations for consideration as a Major Capital Improvement (MCI) in New York City and to conform the policy outside of New York City to the current policy within New York City.

The complete replacement or the addition of a three (3) or more ply roof cap on the existing roof will be eligible for inclusion in the determination of MCI rent increases while one or two ply roof caps will not be eligible. In the counties covered by the Emergency Tenant Protection Act (ETPA) and by State Rent Control, this constitutes a change in policy because the number of plies was not a factor in eligibility for MCI rent increases. For MCI applications filed for buildings outside of New York City, this policy statement will go into effect where the work began thirty days after the issue date of this Policy Statement. Therefore, if an owner installs a one or two ply roof, outside of New York City, where the work began thirty (30) days after the issue date of this Policy Statement, the costs associated with such repairs will be ineligible for an MCI rent increase.

When an owner installs built-up roofing, the longevity of the installation is directly proportional to the number of plies. Built-up roofing consists of several layers of heavy roofing felt cemented to a solid roof sheathing and to each other with tar, asphalt, or similar material, which also forms the top coating. Generally, while still soft, the surface is covered with pebbles or crushed minerals to take wear and to protect the roofing from the direct rays of the sun. The addition of pebbles or crushed minerals does not constitute an additional ply. When a repair is made to existing built-up roofing by the addition of less than three plies of roofing material, even when such repairs include a covering of crushed mineral, the improvement will be short lived and does not constitute a major capital improvement. Therefore, the costs associated with such repairs are and will remain ineligible for an MCI rent increase within New York City and will no longer be eligible for an MCI rent increase outside of New York City thirty days after the issue date.

The only exception to this prohibition on MCI eligibility for a one-ply roof will be for a one-ply rubber (membrane) roof. This type of one-ply roof, developed with new technologies, has a life expectancy beyond conventional asphalt-based materials and will qualify for an MCI rent increase.

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for Rent Administration

This document is being reissued for informational purposes only.

The original document which contains signatures of authorization is on file at DHCR's Office of Rent Administration.

