
REAL ESTATE FINANCE BUREAU

M E M O R A N D U M

**Re: Letters of No Objection to
Termination of Condominium
Declaration**

**Originally Issued: January 22, 2015
Updated: December 23, 2025¹**

The Real Estate Finance Bureau (“REF”) of the New York State Department of Law (“DOL”) publishes this memorandum as a guidance document pursuant to State Administrative Procedure Act § 102(14).

In situations in which all of the unit owners in a condominium have reached a determination to cease operating as a condominium and terminate the condominium declaration, REF requires notice of any such action. Notification is necessary in order for REF to maintain accurate and updated records.

Moreover, in certain jurisdictions, the locality requires a letter of no objection from REF before they will process a termination of condominium declaration. For example, the New York City Department of Finance consistently requires such a document from our office, whether an offering plan was accepted for filing.

In the majority of these situations, a single entity has acquired all of the units and wants to own or sell the building as a single tax lot. In these instances, an attorney transmittal letter should be accompanied by an affidavit from the owner setting forth the following information:

1. How the condominium was formed, including all operative dates;
2. A brief history of the ownership of the condominium units;
3. When and how the applicant acquired ownership of the units;
4. An affirmative representation that the affiant owns one hundred percent of the common interest;
5. The underlying reason for the decision to terminate;
6. Disclosure of any relevant pending litigation, e.g., a foreclosure action or bankruptcy proceeding. In the case of a pending bankruptcy proceeding, a

¹ This guidance document supersedes and replaces the previous versions dated November 5, 2025 and January 22, 2015. This guidance document is hereby updated to reflect REF’s new electronic submission policies and procedures, which are set forth in REF’s guidance document entitled “*Electronic Submission Policies and Procedures*.” No other substantive changes have been made to this guidance document. In addition, this guidance document was updated on November 5, 2025 to reflect the statutorily increased filing fee for amendments to offering plans as further described in REF’s guidance document entitled “*Increased and New Filing Fees Pursuant to General Business Law Sections 352-e(7) and 352-eeeeee*.” This guidance document was non-substantively updated on October 22, 2020 solely for the purposes of updating the Real Estate Finance Bureau’s mailing address.

condominium declaration will not be terminated without the Bankruptcy Court's approval;

7. If the applicant is a charitable and/or religious organization, the affidavit should disclose whether a sign-off from the Charities Bureau is required and, if so, whether it has been obtained; and
8. A statement that the affiant is requesting the issuance of a letter from the New York State Department of Law stating that our office has no objection to the termination of condominium ownership of said property.

In the case of a small condominium wherein the unit owners have determined to sell the entire building without the encumbrance of a condominium declaration, REF will not issue a letter of no objection unless an affidavit as described above (with any necessary modifications), has been signed and submitted by all unit owners.

Unless a different party is specified, REF will address the letter to the attorney submitting the request. The New York City Department of Finance has, on occasion, requested that the letter be sent directly to them. This request can be accommodated as long as the REF is supplied with the specific name and address of the recipient.

The filing fee for an application for a letter of no objection is \$750, which should be paid using REF's Electronic Submission ("eSubmission") Portal. Similarly, applications for letters of no objection to the termination of a condominium declaration should be submitted to REF using its eSubmission Portal. In addition to the affidavit described above, such applications must include:

1. An attorney transmittal letter;
2. A Notice of Appearance;
3. Proof of valid attorney registration (optional, but highly recommended); and
4. Any other applicable documents, such as a copy of the condominium's declaration.

REF reserves the right to reject submissions that do not comply with the policies and procedures described in this guidance document. Additionally, the Attorney General has the authority under Article 23-A of the GBL to investigate and strictly enforce violations of the statutes and regulations governing disclosure requirements. Nothing contained in this guidance document shall be construed to be a waiver of, or a limitation on, the Attorney General's authority to take enforcement action pursuant to Article 23-A of the GBL and other applicable provisions of law, except as expressly stated herein.