GUIDANCE ON MULTIPLE BUILDING PROJECTS

The Internal Revenue Code specifically grants tax incentives for certified rehabilitations of certified historic ***structures*** rather than to rehabilitations of ***development projects*** and requires the Secretary of the Interior to make a certification as to the historic character of each building and the quality of the rehabilitation work performed on that building. By law a building individually listed in the National Register of Historic Places is "automatically" a certified historic structure. A National Register listing for a single property may contain several buildings, some of which may be noncontributing buildings and which do not, therefore, qualify as certified historic structures. A rehabilitation project may encompass the rehabilitation of multiple certified historic structures; may include other project work such as demolition, new construction, or facilities related to the existing building(s), such as parking lots or landscaping; or may be part of a larger development project that incorporates rehabilitation or alteration of non-historic buildings.

Determining the proper scope of review for multiple building projects is necessary to ensure that certifications of rehabilitation are issued either for an overall project or for individual components in accordance with the requirements of Department of the Interior regulations and to ensure that non-historic buildings grouped with historic buildings for development purposes do not receive the 20% investment tax credit available solely for the rehabilitation of "certified historic structures." The crux of determining the proper scope of review is the ***historic functional relationship*** of the buildings, not the ***developmental relationship*** established by their present owner.

Department of the Interior regulations [36 CFR 67.4] provide that determinations must be made as to the significance of component buildings within a larger property in order for the tax benefits to accrue. Section 36 CFR 67.4(e) specifies that a property containing more than one building will be treated as a single certified historic structure when the Secretary judges the buildings to have been "functionally related to serve an overall purpose," such as a mill complex or a residence and carriage house, whether the property is individually listed in the National Register or located within a registered historic district. Section 36 CFR 67.6(b)(4) further provides that certification decisions on multiple building projects may be made on the merits of an overall project rather than on individual components only when a judgment is made by the Secretary that the buildings "have been functionally related historically to serve an overall purpose . . ." Section 36 CFR 67.6(b) states that certification decisions will consider "all work on the interior and exterior of the certified historic structure(s) and its site and environment ... as well as related demolition, new construction or rehabilitation work which may affect the historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)."

Therefore, a multiple building project should be evaluated to determine:

1) whether or not the buildings that make up the project are functionally related historically;

2) if so, whether each building is of historic significance to the property;

3) whether the overall property contributes to the significance of the historic district (if the property is located within a historic district); and

4) whether the overall project should be designated a "certified rehabilitation."

Buildings that are "functionally related historically to serve an overall purpose" are those that "have functioned together to serve an overall purpose during the property's period of significance" [36 CFR 67.4(e)]. If the period of significance is not defined in the National Register documentation, or is unclear, the documentation should be amended in a manner consistent with section 36 CFR 67.5(c).

In all cases, buildings deemed not to contribute to the historic significance of the overall property are not eligible for the 20% investment tax credit (ITC) available to the rehabilitation of "certified historic structures." Such non-contributing buildings may be eligible for the 10% investment tax credit for the rehabilitation of non-historic structures built before 1936, if rehabilitated for non-residential purposes.

For multiple building projects located in registered historic districts where there is no historic functional relationship among the buildings, certification decisions for both significance and rehabilitation will generally be made for each separate building regardless of how the buildings are grouped for ownership or development purposes. Ordinarily contiguous buildings will be considered as separate buildings, particularly if they have only recently become interconnected or will be interconnected as part of the rehabilitation project. However, if the buildings have been historically interconnected (that is, within the period of significance of the historic district) to serve a single function, they will be treated as a single structure for purposes of certification decisions.

It is important to understand that this guidance on multiple building projects is not intended to result in the division of architecturally whole buildings into component portions of buildings. Such building types as tenements and apartments, even those with multiple street addresses, remain single entities and should not be treated as multiple building projects. In the event that a rehabilitation project encompasses only part of such a building, the regulatory guidance [36 CFR 67.2 and 67.6(b)(7)] governing requests for certification of portions of buildings applies – in general, portions of larger buildings are not independently considered certified historic structures.

A "duplex" generally means a building consisting of side-by-side dwellings; in some areas of the country the word can refer to dwellings stacked one on top of the other. NPS treats duplexes as follows: Two buildings that are side by side with a party wall, but otherwise function as two separate buildings and bear the characteristics of separate buildings (e.g., individual front doors, independent interior circulation systems, separate HVAC systems, individual attics and basements, etc.) will be considered as two separate buildings. Duplexes and triplexes with stacked units will be considered as one structure.

The guidance that follows is administrative; it is intended to explain how multiple building projects are to be treated for purposes of the tax incentives program – not what the certification decision should be. Certification decisions must be made in accordance with the Secretary of the Interior's Standards for Evaluating Significance and the Standards for Rehabilitation. ***This guidance should not be cited to applicants in any correspondence regarding requests for certifications of significance or rehabilitation. Only applicable Department of the Interior regulations should be cited; these regulations take precedence in the event of any inconsistency with the guidance expressed here.***

CERTIFICATIONS OF SIGNIFICANCE

Because a building individually listed in the National Register is automatically considered a certified historic structure, an owner is not normally required to complete a Part 1 – Evaluation of Significance. However, section 36 CFR 67.4(d)(2) contains an exception to this automatic certified historic structure status. For individual listings that include more than one building, the regulation requires that "In such cases, the owner must submit a single Part 1 application . . . which includes descriptions of all the buildings within the listing. The Secretary will utilize the Standards for Evaluating Significance within Registered Historic Districts [36 CFR 67.5] for the purpose of determining which of the buildings included within the listing are of historic significance to the property."

Owners of properties within historic districts are normally required to complete separate Part 1 applications for each building for which certified historic structure designation is sought. In the case of a property within a historic district that contains more than one building, an evaluation must be made to determine whether the component buildings contribute to the historic significance of the property and whether the property contributes to the significance of the historic district. These determinations are made through the review of a single Part 1 application. In the case of a multiple-building property that is itself an historic district, an evaluation must be made as to whether the component buildings contribute to the significance of the historic district. These determinations are also made through the review of a single Part 1.

Buildings that originally may have been merely contiguous but that have been historically interconnected to serve a single function will be treated as a single building and evaluated to determine if it contributes to the significance of the historic district. Conversely, buildings that have only recently become interconnected or that will be interconnected as part of the rehabilitation will be evaluated as separate buildings.

CERTIFICATIONS OF REHABILITATION

In general Requests for Certification of Rehabilitation for projects involving more than one building will be treated as a single request for one overall project only when "the buildings are judged by the Secretary to have been functionally related historically to serve an overall purpose, such as a mill complex or a residence and carriage house" [36 CFR 67.6(b)(4)]. In making a certification decision on a multiple building project that is being treated as a single request for certification, review of the "rehabilitation project for certification purposes encompasses all work on the interior and exterior of the certified historic structure(s) and its site and environment, as determined by the Secretary, as well as related demolition, new construction or rehabilitation work which may affect the historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)" [36 CFR 67.6(b)]. It is important to remember that inappropriate work on contributing but ancillary structures

may be cause for denial of certification. Inappropriate work on non-contributing buildings may also be cause for denial of certification of rehabilitation.

When the entire historic property is under single ownership, the decision on the timing of redevelopment rests solely with the owner. The owner may choose to rehabilitate the property as one project within 24 months, as a phased project over 60 months (if architectural plans and specifications are completed before the rehabilitation begins, as required by the statute itself), or building by building over an indeterminate time period. Advisory rehabilitation certification decisions may be made on individual historic structures or phases within the listing. However, any advisory correspondence must caution that future rehabilitation within the property, if not in conformance with the Standards for Rehabilitation, could jeopardize certification and possibly even the National Register listing.

When a complex of buildings functionally related historically has been divided into multiple ownership parcels, each ownership parcel must be treated separately unless there is reason to believe that the ownership configuration has been devised to circumvent National Park Service review procedures. Therefore, only the owner seeking a certification of rehabilitation must submit a Part 2 for that ownership parcel irrespective of when or whether other rehabilitation projects might occur in other parcels of the property. It is not necessary for each owner of adjacent portions of a complex to have their rehabilitation work certified in order for any one owner to be issued a certification of rehabilitation within a particular ownership parcel; in other words, one owner of a portion of a complex who is seeking certification cannot be held responsible for other owners' actions [36 CFR 67.6(b)(1)]. However, if it is apparent that configuration of ownership is to avoid NPS review of non-certifiable project work or extensive demolition, certification may be denied or a decision may be withheld pending an IRS private letter ruling to determine the proper scope of review. Such cases should be brought to the attention of the NPS as early as possible in the review process. NPS must seek the advice of its Solicitor's Office in all such situations prior to requesting that an IRS letter ruling be obtained [36 CFR 67.6(b)(1)].

When multiple buildings are not functionally related historically, but are separate certified historic structures within a historic district, or are individually listed buildings grouped into one development project, the rehabilitation of each will be reviewed separately for purposes of certification, even if the buildings are under one ownership. Contiguous buildings such as rowhouses that were interconnected outside the period of significance or that become interconnected as a result of the rehabilitation will also be reviewed separately. On the other hand, buildings that originally may have been merely contiguous but have been interconnected historically during the period of significance to serve a single function will be treated as a single certified historic structure and a rehabilitation certification decision made accordingly.

Demolition as Part of a Certified Rehabilitation

Demolition within a project of multiple buildings that are functionally related historically may, in limited situations, be approved as part of the overall rehabilitation [36 CFR 67.6(b)(5)]. If a multiple building project is being treated as one overall project rather than as a series of individual components, demolition of components may be approved as part of the overall rehabilitation when:

1) the component is outside the period of significance of the listing; or

2) the component is so deteriorated or altered that its integrity has been irretrievably lost; or

3) the component is a secondary one, generally one that lacks historic, engineering, or architectural significance or does not occupy a major portion of the site and for which persuasive evidence shows that retention of the component is not technically or economically feasible.

Because the NPS certifies rehabilitations of certified historic structures rather than development projects, the demolition of a certified historic structure(s) within a development project located in an historic district is not always sufficient grounds for denying certification of rehabilitation to the remaining certified historic structure(s). For example, when one certified historic structure is demolished to provide open space or a parking lot for a functionally unrelated historic building undergoing rehabilitation on an adjacent site, review of the rehabilitation may not take the demolition into account in making a certification decision. As long as there is no new construction physically attached to the rehabilitated historic structure that extends onto the site of the demolished certified historic structure, review will be restricted to the certified historic structure being rehabilitated.

However, when new construction that is physically attached to one certified historic structure crosses the property line onto the adjacent site of another certified historic structure, that adjacent site becomes part of the rehabilitation project under review. The overall rehabilitation project, including the demolition and the new construction on the adjacent site, will be reviewed both as it affects the remaining certified historic structure and its district and a certification decision made accordingly. Generally the demolition of one historic structure as the result of the physical expansion of an adjacent certified historic structure will be cause for denial of rehabilitation certification.

Specific Guidance

The following scenarios translate existing general guidance into specific situations to illustrate how multiple building projects will be treated administratively (counting the number of projects and assessing fees) and what the proper scope of review of multiple building projects should be. Each scenario is identified by National Register status, ownership, and number and relationship of buildings.

Multiple Buildings Functionally Related Historically

1. Individually listed in the National Register; single ownership

2. Individually listed in the National Register; multiple ownership parcels within property

3. Within historic district; single ownership

4. Within historic district; multiple ownership parcels

5. Listed in the National Register as a historic district; single ownership

6. Listed in the National Register as a historic district; multiple ownership parcels

Interconnected Buildings

7. Within a historic district; not functionally related historically; interconnected in recent past or will be interconnected as part of rehabilitation; single ownership

8. Within a historic district; historically interconnected to serve a single function (within period of significance of historic district); single ownership

Demolition of a certified historic structure or portion of a structure

9. Functionally related buildings individually listed in the National Register or located within a historic district; demolition of a certified historic structure or portion of a structure; single ownership

Demolition of adjacent structure(s) as part of rehabilitation of a certified historic structure(s)

10. Separate, functionally unrelated buildings on adjacent parcels (may or may not share party wall); within a historic district; no new construction that expands the historic structure onto the parcel of the demolished building; ("New construction" does not include surface parking lots, driveways, or gardens); single ownership of both parcels

11. Separate, functionally unrelated buildings on adjacent parcels (may or may not share party wall); within a historic district; new construction that expands historic structure and extends onto the parcel of the demolished building; single ownership of both parcels

MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

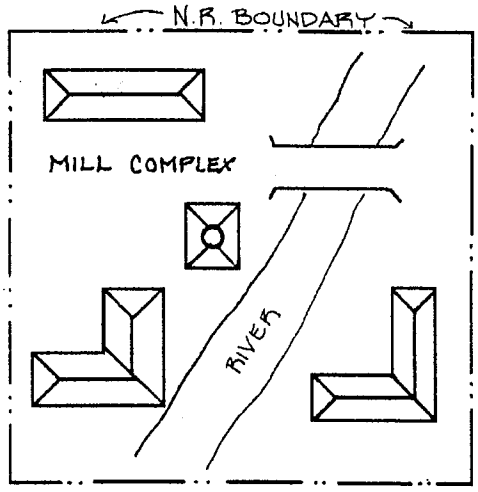
1. **Individually listed in the National Register; single ownership**

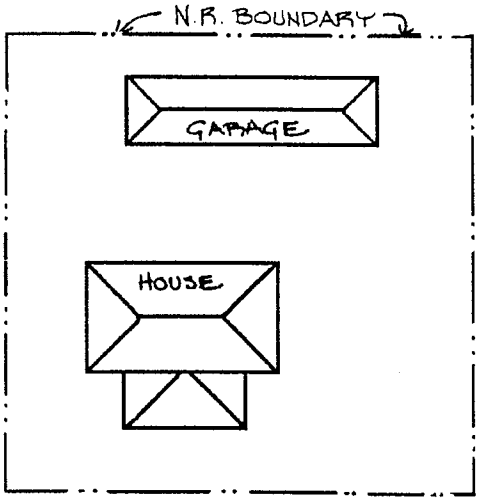
   Project numbers: One

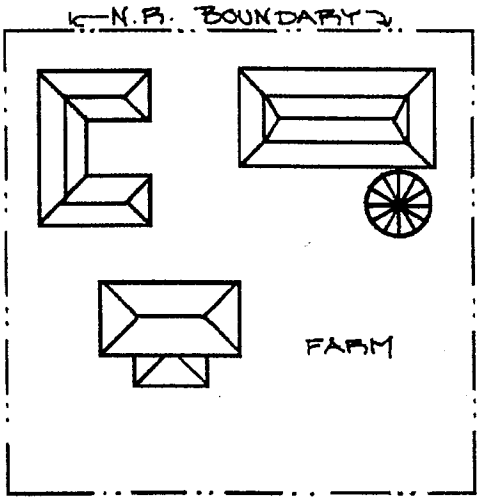
   Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building to property. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.

   Scope of Review for Part 2: All rehabilitation work within listing. Inappropriate work on non-contributing buildings may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)." Sufficient loss of National Register qualities of complex may result in delisting.

   Appeal rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.



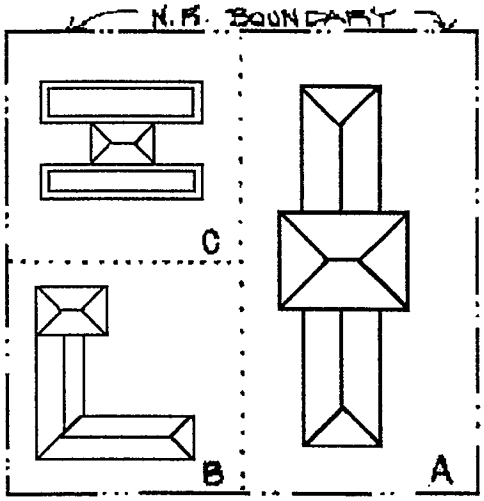




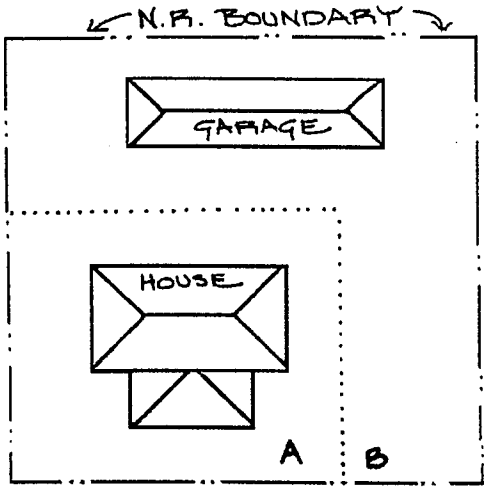
MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

2. Individually listed in the National Register; multiple ownership parcels within property

Project numbers: Multiple – one per ownership parcel

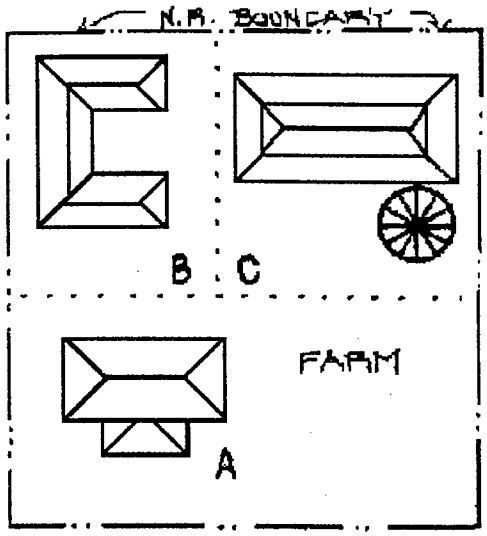


Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building to entire National Register listing. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.



Scope of Review for Part 2: All rehabilitation work within each ownership parcel. Inappropriate work on non-contributing buildings within each ownership parcel may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)." Sufficient loss of National Register qualities of complex may result in delisting.

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.



MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

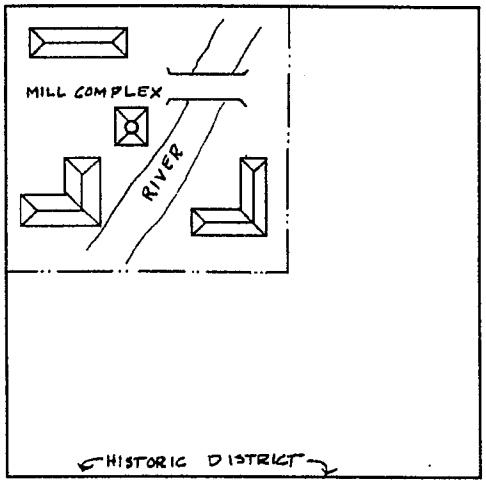
3. Within historic district; single ownership

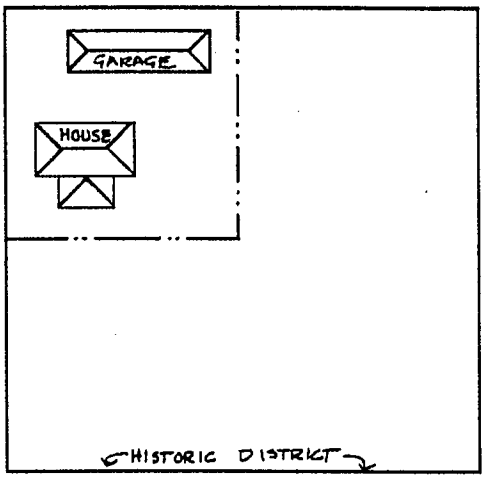
Project numbers: One

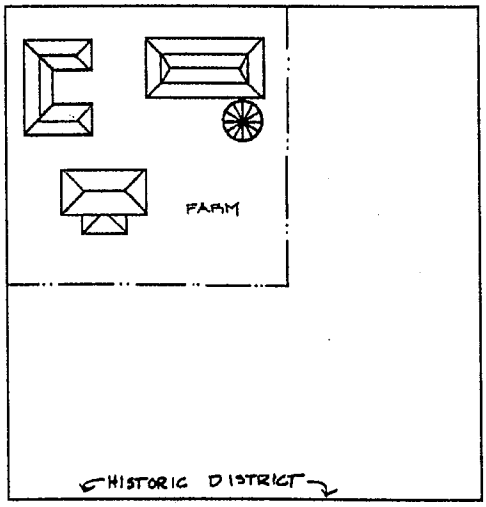
Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building to the property; evaluation of significance of entire property to the historic district. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.

Scope of Review for Part 2: All rehabilitation work within property. Inappropriate work on non-contributing buildings may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)."

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

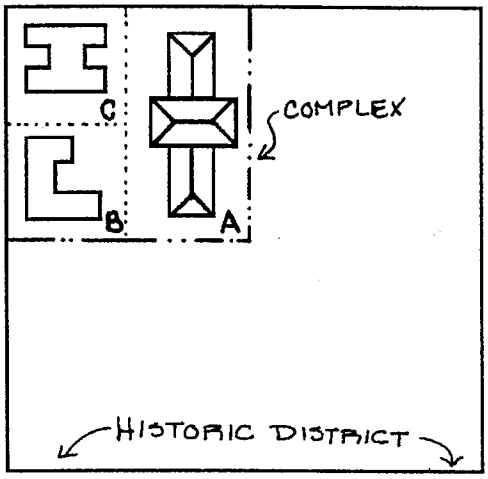






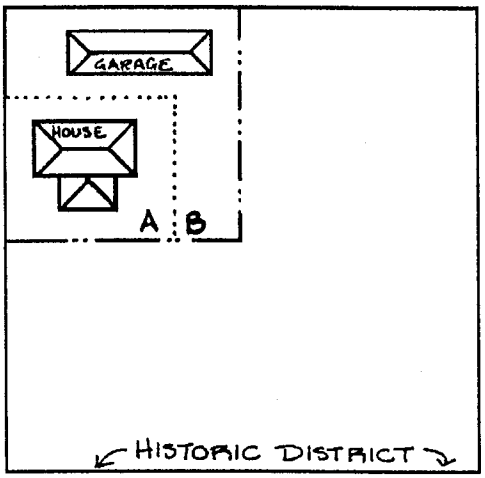
MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

4. Within historic district; multiple ownership parcels



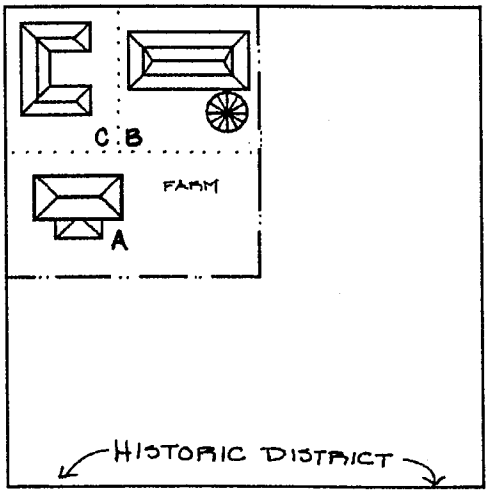
Project numbers: Multiple – one per ownership parcel

Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of entire property to the historic district; evaluation of significance of each building to the property. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.



Scope of Review for Part 2: All rehabilitation work within each ownership parcel. Inappropriate work on non-contributing buildings within each ownership parcel may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)."

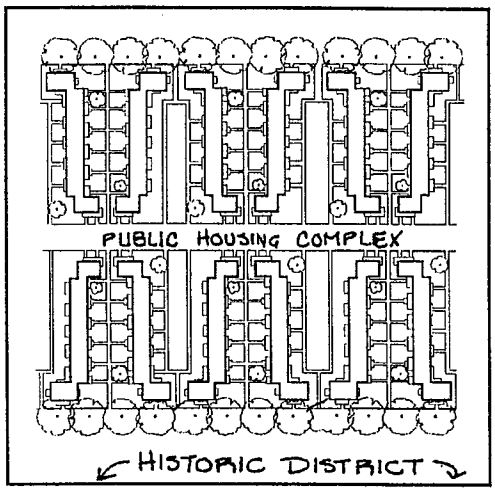
Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.



MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

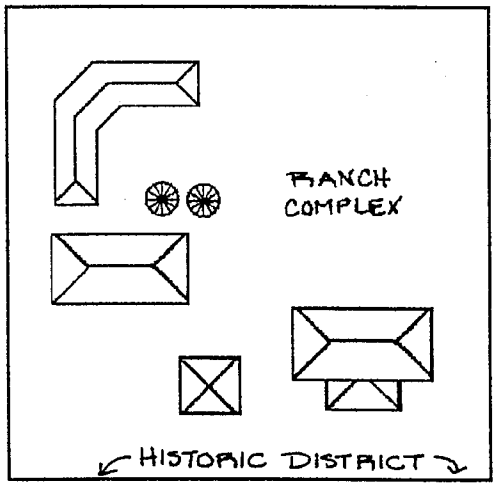
5. Listed in the National Register as a historic district; single ownership

Project numbers: One



Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building within the property and the historic district. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.

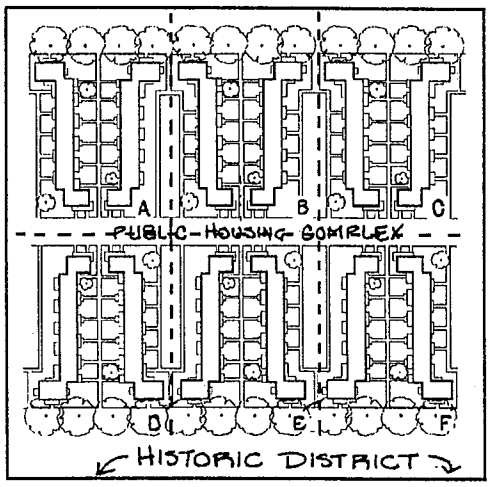
Scope of Review for Part 2: All rehabilitation work within the listing. Inappropriate work on non-contributing buildings may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)."



Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

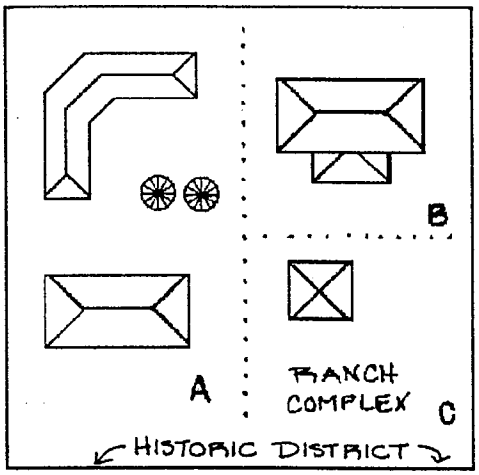
MULTIPLE BUILDINGS FUNCTIONALLY RELATED HISTORICALLY

6. **Listed in the National Register as a historic district; multiple ownership parcels**



Project numbers: Multiple – one per ownership parcel

Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building within the property and the historic district Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.

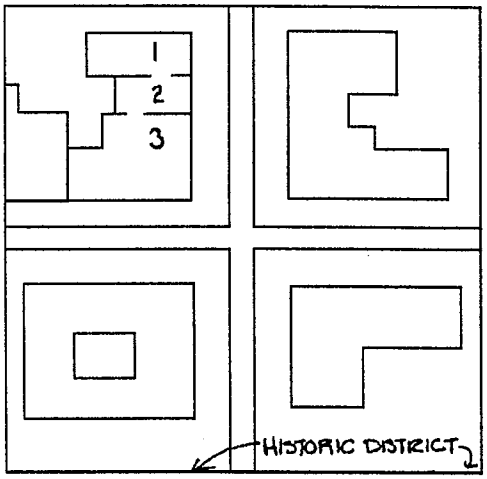


Scope of Review for Part 2: All rehabilitation work within each ownership parcel. Inappropriate work on non-contributing buildings within each ownership parcel may be cause for denial of certification of rehabilitation if it affects the "historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)."

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

INTERCONNECTED BUILDINGS

7. **Within a historic district; not functionally related historically; interconnected in recent past or will be interconnected as part of rehabilitation; single ownership**



Project numbers: Multiple – one per certified historic structure

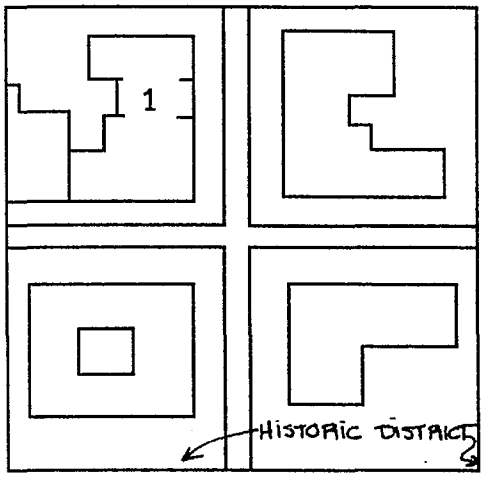
Scope of Review for Part 1: Evaluation of significance of each building to historic district.

Scope of Review for Part 2: Rehabilitation of each building. Interconnection as part of the rehabilitation may be cause for denial of certification of the rehabilitation if the buildings are interconnected in such a way that the separate functional identity of the buildings is lost.

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

INTERCONNECTED BUILDINGS

8. Within a historic district; historically interconnected to serve a single function (within period of significance of historic district); single ownership



Project numbers: One

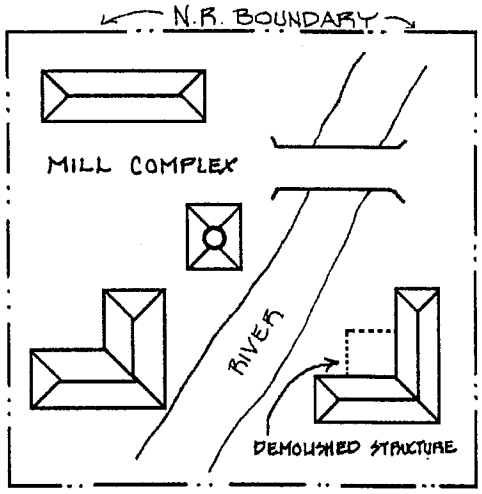
Scope of Review for Part 1: Determination that buildings were interconnected during period of significance; evaluation of significance of property to the historic district

Scope of Review for Part 2: Entire rehabilitation

Appeal Rights: Part 1 determination that property is contributing or non-contributing; Part 2 denial.

DEMOLITION OF A CERTIFIED HISTORIC STRUCTURE OR PORTION OF A STRUCTURE

9. Functionally related buildings individually listed in the National Register or located within a historic district; demolition of a certified historic structure or portion of a structure; single ownership



Project numbers: One

Scope of Review for Part 1: Determination that buildings are functionally related historically; evaluation of significance of each building within the property; if applicable, evaluation of the significance of the overall property to the historic district. Non-contributing buildings not eligible for 20% historic ITC but may be eligible for the 10% non-historic ITC.

Scope of Review for Part 2: Demolition of a component (a building or a portion of a building) may be approved in limited circumstances, when:

1) the component is outside the period of significance of the property, or

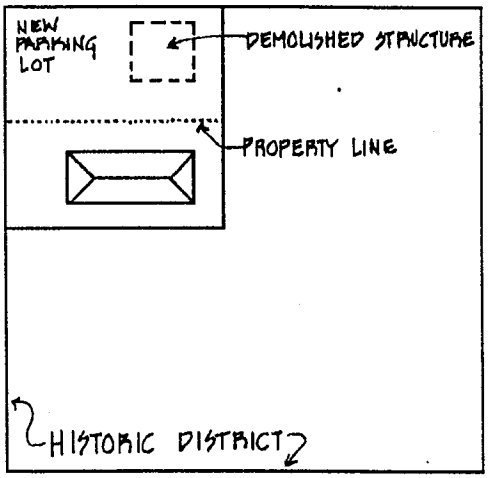
2) the component is so deteriorated or altered that its integrity has been irretrievably lost; or

3) the component is a secondary one that generally lacks historic, engineering, or architectural significance or does not occupy a major portion of the site and persuasive evidence is present to show that retention of the component is not technically or economically feasible.

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

DEMOLITION OF ADJACENT STRUCTURE(S) AS PART OF REHABILITATION OF CERTIFIED HISTORIC STRUCTURE(S)

10. Separate, functionally unrelated buildings on adjacent parcels (may or may not share party wall); within a historic district; no new construction that expands the historic structure onto the parcel of the demolished building; ("New construction" does not include surface parking lots, driveways, or gardens); single ownership of both parcels



Project numbers: Multiple – one per building

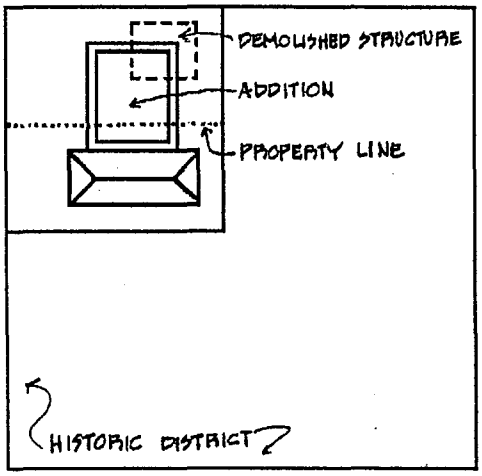
Scope of Review for Part 1: Evaluation of significance of each building to historic district

Scope of Review for Part 2: Rehabilitation of remaining certified historic structure only. Demolition of adjacent structure is not reviewed.

Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

DEMOLITION OF ADJACENT STRUCTURE(S) AS PART OF REHABILITATION OF CERTIFIED HISTORIC STRUCTURE(S)

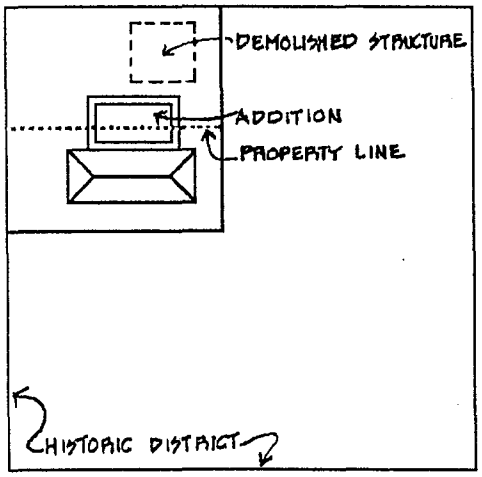
11. Separate, functionally unrelated buildings on adjacent parcels (may or may not share party wall); within a historic district; new construction that expands the historic structure and extends onto the parcel of the demolished building; single ownership of both parcels



Project numbers: Multiple – one per building

Scope of Review for Part 1: Evaluation of significance of each building to historic district.

Scope of Review for Part 2: Rehabilitation of certified historic structure(s), including new construction that expands the historic structure and extends onto the adjacent site. If the adjacent building is determined to be a certified historic structure, its demolition will be cause for denial of rehabilitation certification.



Appeal Rights: Part 1 determination of contributing or non-contributing buildings; Part 2 denial.

APPLICABLE REGULATIONS

36 CFR 67.2 *Certified Historic Structure* means a building (and its structural components) which is of the character subject to the allowance for depreciation provided in Section 167 of the Internal Revenue Code of 1986 which is either: (a) Individually listed in the National Register; or (b) Located in a registered historic district and certified by the Secretary as being of historic significance to the district. Portions of larger buildings, such as single condominium apartment units, are not independently considered certified historic structures. Rowhouses, even with abutting or party walls, are considered as separate buildings. For purposes of the certification decisions set forth in this part, a certified historic structure encompasses the historic building and its site, landscape features, and environment.... The NPS decision on listing a property in the National Register of Historic Places, including boundary determinations, does not limit the scope of review of the rehabilitation project for tax certification purposes. Such review will include the entire historic property as it existed prior to rehabilitation and any related new construction....

36 CFR 67.4(d)(2) Some properties individually listed in the National Register include more than one building. In such cases, the owner must submit a single part 1 application... which includes descriptions of all the buildings within the listing. The Secretary will utilize the Standards for Evaluating Significance within Registered Historic Districts (§ 67.5) for the purpose of determining which of the buildings included within the listing are of historic significance to the property....

36 CFR 67.4(e) Properties containing more than one building where the buildings are judged by the Secretary to have been functionally related historically to serve an overall purpose, such as a mill complex or a residence and carriage house, will be treated as a single certified historic structure, whether the property is individually listed in the National Register or is located within a registered historic district, when rehabilitated as part of an overall project. Buildings that are functionally related historically are those which have functioned together to serve an overall purpose during the property's period of significance. In the case of a property within a registered historic district which contains more than one building where the buildings are judged to be functionally related historically, an evaluation will be made to determine whether the component buildings contribute to the significance of the property and whether the property contributes to the significance of the historic district....

36 CFR 67.5(c) Some properties listed in the National Register, primarily districts, are resources whose concentration or continuity possesses greater historical significance than many of their individual component buildings and structures. These usually are documented as a group rather than individually. Accordingly, this type of National Register documentation is not conclusive for the purposes of this part and must be supplemented with information on the significance of the specific property. Certifications of significance and nonsignificance will be made on the basis of the application documentation, existing National Register documentation, and other available information as needed. The Keeper may amend the National Register documentation by issuing a supplementary record if the application material warrants such an amendment....

36 CFR 67.6(b) A rehabilitation project for certification purposes encompasses all work on the interior and exterior of the certified historic structure(s) and its site and environment, as determined by the Secretary, as well as related demolition, new construction or rehabilitation work which may affect the historic qualities, integrity or site, landscape features, and environment of the certified historic structure(s)....

36 CFR 67.6(b)(1) ...In general, an owner undertaking a rehabilitation project will not be held responsible for prior rehabilitation work not part of the current project, or rehabilitation work that was undertaken by previous owners or third parties.

36 CFR 67.6(b)(2) However, if the Secretary considers or has reason to consider that a project submitted for certification does not include the entire rehabilitation project subject to review hereunder, the Secretary may choose to deny a rehabilitation certification or to withhold a decision on such a certification until such time as the Internal Revenue Service, through a private letter ruling, has determined... the proper scope of the rehabilitation project to be reviewed by the Secretary. Factors to be taken into account by the Secretary and the Internal Revenue Service in this regard include, but are not limited to, the facts and circumstances of each application and (i) whether previous demolition, construction or rehabilitation work irrespective of ownership or control at the time was in fact undertaken as part of the rehabilitation project for which certification is sought, and (ii) whether property conveyances, reconfigurations, ostensible ownership transfers or other transactions were transactions which purportedly limit the scope of a rehabilitation project for the purpose of review by the Secretary without substantially altering beneficial ownership or control of the property.

36 CFR 67.6(b)(4) For rehabilitation projects involving more than one certified historic structure where the structures are judged by the Secretary to have been functionally related historically to serve an overall purpose, such as a mill complex or a residence and carriage house, rehabilitation certification will be issued on the merits of the overall project rather than for each structure or individual component. For rehabilitation projects where this is no historic functional relationship among the structures, the certification decision will be made for each separate certified historic structure regardless of how they are grouped for ownership or development purposes.

36 CFR 67.6(b)(5) Demolition of a building as part of a rehabilitation project involving multiple buildings may result in denial of certification of the rehabilitation. In projects where there is no historic functional relationship among the structures being rehabilitated, related new construction which physically expands one certified historic structure undergoing rehabilitation and, therefore, directly causes the demolition of an adjacent structure will generally result in denial of certification of the rehabilitation unless a determination has been made that the building to be demolished is not a certified historic structure as in § 67.4(a). In rehabilitation projects where the structures have been determined to be functionally related historically, demolition of a component may be approved, in limited circumstances, when: (i) The component is outside the period of significance of the property, or (ii) The component is so deteriorated or altered that its integrity has been irretrievably lost; or (iii) The component is a secondary one that generally lacks historic, engineering, or architectural significance or does not occupy a major portion of the site and persuasive evidence is present to show that retention of the component is not technically or economically feasible.

36 CFR 67.6(b)(7) In the event that an owner of a portion of a certified historic structure requests certification for a rehabilitation project related only to that portion, but there is or was a larger related rehabilitation project(s) occurring with respect to the certified historic structure, the Secretary's decision on the requested certification will be based on review of the overall rehabilitation project(s) for the certified historic structure.

36 CFR 67.11(d) In general, each rehabilitation of a separate certified historic structure will be considered a separate project for purposes of computing the size of the fee. (1) In the case of a rehabilitation project which includes more than one certified historic structure where the structures are judged by the Secretary to have been functionally related historically to serve an overall purpose, the fee for preliminary review is $250 and the fee for final review is computed on the basis of the total rehabilitation costs. (2) In the case of multiple building projects where there is no historic functional relationship among the structures and which are under the same ownership; are located in the same historic district; are adjacent or contiguous; are of the same architectural type (*e.g.*, rowhouses, loft buildings, commercial buildings); and are submitted by the owner for review at the same time, the fee for preliminary review is $250 per structure to a maximum of $2,500 and the fee for final review is computed on the basis of the total rehabilitation costs of the entire multiple building project to a maximum of $2,500. If the $2,500 maximum fee was paid at the time of review of the proposed or ongoing rehabilitation project, no further fee will be charged for review of a Request for Certification of Competed Work.