



Legislation Text

File #: Res 0119-2018, **Version:** *

Res. No. 119

Resolution calling upon the New York State Legislature pass, and the Governor to sign, A.1357/S.4750 which would establish a property tax credit for Class 2 cooperative and condominium buildings that are designated safe after a Façade Inspection Safety Program inspection.

By Council Member Vallone

Whereas, Local Law 11 of 1998 requires all buildings in New York City that are greater than six stories to have a Qualified Exterior Wall Inspector (“QEWI”) inspect all exterior walls and appurtenances of the building, except exterior walls less than twelve inches from an adjacent building, at least once every five years to make sure they are safe and in good repair; and

Whereas, The inspection process, commonly referred to as “Local Law 11 inspections” has been officially renamed the “Façade Inspection and Safety Program” (“FISP”) by the City’s Department of Buildings (“DOB”); and

Whereas, The FISP inspection covers all the exterior façades and appurtenances of the building, including any balconies, fire escapes, parapets, window casings, and railings; and

Whereas, At least one of the façades, that is representative of the building’s other exterior walls, must have a hands-on inspection from a scaffold or other observation platform, while the remaining façades may be inspected visually, typically through the use of high-powered binoculars; and

Whereas, After the QEWI has concluded the FISP inspection, he or she must file a technical façade report with the DOB detailing the results of the inspection; and

Whereas, The results of the inspection could either be: 1) Safe - which indicates that the façade has no problems and is in good condition; 2) Safe With a Repair and Maintenance Program - which indicates that the

façade is safe, but requires repairs or maintenance; or 3) Unsafe - which indicates that the façade has problems or defects that could pose a threat to public safety; and

Whereas, Because the inspections require the construction of scaffolding or observation platform, the services of QEWI's who must be licensed architects or engineers, and the drafting of a detailed technical report, among other things, the inspections are extremely expensive and can cost thousands of dollars or more; and

Whereas, In Class 2 condominium and cooperative buildings, these costs are generally passed on directly to the homeowners through increased maintenance fees or special assessments; and

Whereas, Buildings are required to undertake these costly façade inspections every five years even if they are diligent in safely maintaining their exteriors, thereby increasing the likelihood that the FISP inspection will result in a Safe rating; and

Whereas, The homeowners in Class 2 condominiums and cooperatives whose façades are deemed Safe after the FISP inspection should not have to bear the burden of the costly inspection process; and

Whereas, In 2017, New York State Assembly Member Edward Braunstein and New York State Senator Toby Ann Stavisky introduced A.1357 and S. 4750, respectively; and

Whereas, Those bills would authorize a tax credit to any Class 2 condominium or cooperative building that has been deemed Safe after the FISP inspection in the amount of all costs of such inspection with such credit being reevaluated every five years after the inspection is performed; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature pass, and the Governor to sign, A.1357/S.4750 which would establish a property tax credit for Class 2 cooperative and condominium buildings that are designated safe after a Façade Inspection Safety Program inspection.

RKC
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LS #1053
1/2/2018