



February 26, 2018
Testimony of John Sudnik, Chief of Operations, FDNY
Residential Fires and Legislation

Good morning Chairman Borelli, Chairman Cornegy, and all of the Council Members present. My name is John Sudnik and I am the Chief of Operations for the FDNY. I am joined this morning by Edward Ferrier, Deputy Assistant Chief from the Bureau of Fire Prevention, Julian Bazel, Fire Code Counsel, and Fabricio Caro, Director of Community Affairs. Thank you for the opportunity to speak with you today about residential fires.

Last year, the City experienced 73 civilian fire deaths, 25 more than occurred in 2016, when there were 48 deaths – the fewest of any year in the last century. In the month of December alone, 26 people died in fires – the worst month for fire deaths in more than a quarter century. Part of the reason fire deaths increased dramatically last year was that three serious fires killed 22 people, including the multiple fire deaths that occurred in the Bronx and in Brooklyn.

It is also important to put these numbers into context. Fire trends have been moving in the right direction – that is, they have been decreasing in general – over the last decade. Even with the spate of tragic fires experienced at the end of last year, the city in 2017 experienced an 8% decline in serious fires from 2016 and a 15.5% decline from 2015. That's a difference of 400 fewer serious fires in 2 years.

While we have worked hard in recent years to educate millions of New Yorkers about fire safety, recent tragedies demonstrate that our work is far from over and that we must continue providing lifesaving knowledge about how to prevent fires and what do to if you're in a fire situation.

In response to the Bronx fire that killed 13 people, the Department undertook a variety of actions. In the days following the fire, the Fire Safety Education Unit coordinated public education and information-sharing in areas throughout the immediate neighborhood. The unit also collaborated with NYPD Community Affairs to provide resources at a community event benefitting fire victims that was organized by a neighborhood church. We met with the local community board to coordinate neighborhood and school-based presentations throughout the district in January. We also attended the Bronx Borough President's Borough Service cabinet meeting, sharing general fire safety education information to all Community Board district managers and committed to and encouraged an ongoing collaboration to conduct fire safety outreach throughout the borough. That meeting led to many presentations and scheduled events being coordinated with tenant associations, school groups, and parent associations. We also worked with the American Red Cross in sponsoring a smoke alarm giveaway event where we distributed 400 fire alarms free to local residents, and we assisted the Department of Housing Preservation and Development by providing fire safety materials for them to distribute in their own outreach to residential buildings.



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The Department also conducted a great deal of community outreach and education following a December fire in Sheepshead Bay that claimed the lives of four family members who died when an unattended menorah started a fire in their home. Immediately afterwards, our Fire Safety Education unit responded to the neighborhood and worked with community leaders to disseminate fire safety publications addressing smoke alarm awareness and general fire safety practices for religious observances. Our Community Affairs unit followed up and coordinated several fire safety presentations throughout the district in January and February. Events were held with community based organizations, schools, and tenant groups. Fire Safety Education attended and spoke at the local community board's monthly meeting and worked with the Mayor's Office of Community Affairs to convene meetings with faith leaders in Sheepshead Bay, Midwood, and Flatbush.

These were two of the higher profile incidents last year, but our Fire Safety Education unit responds to all fatal fires and major incidents. In the wake of such events, the team conducts public educational initiatives within 24 to 48 hours in the immediate surrounding area and community engagement staff canvasses neighborhoods the week after major incidents to schedule follow-up fire safety presentations at schools, faith-based and civic organizations, and businesses. These events are coordinated with community boards, elected officials, and other community stakeholders in order to maximize exposure and participation.

Engaging with the community to provide fire and life safety education is a critical component of our mission as a Department. In 2017, we held more than 8,000 fire safety events and educated 700,000 New Yorkers about lifesaving strategies that focus on fire prevention. A large majority of our fire prevention outreach is proactive, and we place a targeted focus on the City's most vulnerable populations and at-risk communities. Through strategic outreach and in response to requests, the Fire Safety Education unit conducts education and information-sharing classroom and group presentations; public and community events; planned visits to firehouses; hands-on practice inside mobile fire safety experience trailers; and distribution of educational messaging via FDNY social media and publications that are available in a large variety of languages. We partner with community groups, schools, senior centers, city agencies, faith leaders, and elected officials.

During the last year, we increased the size of our Community Affairs Unit, and the staff works closely with our Fire Safety Education unit in creating partnerships and enhancing interaction and cooperation with community groups. We will continue making improvements so that our community engagement is as effective as possible.



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Since December, fire and life safety messaging on FDNY social media has reached 5.2 million views. This includes content that reminds New Yorkers to close the door when escaping a fire and teaches them the importance of having a working smoke and carbon monoxide alarms; of creating and practicing an escape plan; of careless smoking prevention; and other winter and seasonal safety information.

We are also planning to enhance our cooperation with New York City Emergency Management to create additional opportunities to provide education on fire and emergency preparedness in targeted neighborhoods. This effort will include participation of the Mayor's Community Affairs Unit, the NYPD, the Bronx Borough President's office, and the American Red Cross, and we will continue reaching out to additional elected officials as the effort progresses. We are also working to strengthen our collaboration with the City's Department of Education to increase the number of classroom and parent association presentations and work with DOE social media platforms to promote fire safety. And we're partnering with the Department of Youth and Community Development to organize student visits to firehouses and EMS stations. These visits will incorporate information on fire and life safety resources.

In a digital world, we know that effective use of web resources and social media is critical to reaching our intended audience. In 2017, we received over 18.6 million views of FDNY Smart content, which consists of fire and life safety educational materials including tips, videos, PSAs, graphics, and firsthand accounts from our members and from individuals who were rescued. FDNY Smart material is translatable into 100 languages, and visits were up nearly 40% from 2016.

We are excited about all of these efforts, but of course we are always looking for ways to improve our outreach.

I'll briefly address the legislation that is being considered during today's hearing:

Intro 602, which requires self-closing doors in multiple dwellings:

- We support this bill.

Intro 610, which requires landlord to provide stovetop childproof knob covers:

- We support the intent of this bill. We are happy to work with the Council and our fellow agencies regarding the specifics of compliance and enforcement in the final version of the bill.

Intro 604, which regulates placement of alarms near cooking appliances:



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- It is our understanding that the Department of Buildings is currently undergoing the process of revising the Building Code. We defer to the Department of Building's code revision on this topic.

Intro 608, which requires landlords to place notices in conspicuous locations directing residents to close the door when escaping a fire:

- We support this bill. There is already a requirement for residential buildings to place a notice on the inside of apartment doors with this and other fire safety information. Spreading this message via conspicuously-placed signs elsewhere would be useful.

Intro 606, which requires buildings to be equipped with a device to assist evacuation of individuals with limited mobility:

- We oppose this bill. The Fire Department will not rely on equipment that we do not train on and maintain for our own use. In addition to a number of practical concerns, the presence of stair descent devices presents operational concerns during an emergency, as they could inhibit the egress of residents leaving a building and first responders entering it.

Intro 603, which would require that the Department conduct and report fire hydrant inspections at specific timeframes:

- We oppose this bill. Fire Department regulations already require inspections of hydrants on a more frequent and more sophisticated basis than described in the council bill.

Intro 609, which requires the Department to develop and implement a plan to provide education to children and parents about fire safety:

- We would like additional information on what is intended by this bill. The Fire Department already has a full-fledged program of outreach to students and young residents and in 2017 we conducted more than 1,000 education events in schools pre-K through 8th grade. We are always looking to expand our outreach, and we would be happy to discuss partnering with the Council or individual councilmembers about conducting events in specific locations or enhancing the Department's ability to hold more events.

Intro 599, which would require the Department to make a good faith effort to conduct direct outreach to owners and occupants of multiple dwellings:

- We support the concept of this bill, and we would like to know more about the level of direct outreach that is contemplated. We currently require that building owners distribute a Fire Safety Guide to tenants and ensure that a Fire Safety Notice is affixed on the inside of the apartment door in multiple dwellings. We are in the process of replacing the Fire Safety Guide with a more comprehensive Emergency Preparedness Guide which owners



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will be required to distribute. We are open-minded about distributing other material to owners and occupants. We look forward to learning more about this bill, and we would be happy to discuss partnering with the Council or individual councilmembers about conducting events in specific locations or enhancing the Department's ability to hold more events.

Once again, I would like to thank the committees for holding this hearing today on this important topic. The Fire Department has worked hard to achieve success in our mission of protecting the lives and property of New Yorkers and the millions of people who visit our city each year. But we know that there is always more work to be done and we look forward to working with the Council towards greater success in the areas of fire safety and fire prevention.

We would be happy to take your questions at this time.

FIRE SAFETY NOTICE

IN THE EVENT OF FIRE, STAY CALM, NOTIFY THE FIRE DEPARTMENT AND FOLLOW THE DIRECTIONS OF FIRE DEPARTMENT PERSONNEL. IF YOU MUST TAKE IMMEDIATE ACTION, USE YOUR JUDGEMENT AS TO THE SAFEST COURSE OF ACTION, GUIDED BY THE FOLLOWING INFORMATION:

YOU ARE IN A COMBUSTIBLE (NON-FIREPROOF) BUILDING

If The Fire Is In Your Apartment

- Close the door to the room where the fire is and leave the apartment.
- Make sure EVERYONE leaves the apartment with you.
- Take your keys.
- Close, but do not lock, the apartment door.
- Alert people on the floor by knocking on their doors on your way to the exit.
- Use the nearest stairwell to leave the building.
- **DO NOT USE THE ELEVATOR.**
- Call 911 once you reach a safe location. Do not assume the fire has been reported unless firefighters are on the scene.
- Meet the members of your household at a pre-determined location outside the building. Notify the firefighters if anyone is unaccounted for.

If The Fire Is Not In Your Apartment

- Feel your apartment door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.
- Exit the apartment and building if you can safely do so, following the instructions above for a fire in your apartment.
- If the hallway or stairwell is not safe because of smoke, heat, or fire and you have access to a fire escape, use it to exit the building. Proceed cautiously on the fire escape and always carry or hold small children.
- If you cannot use the stairs or fire escape, call 911 and tell them your address, floor, apartment number and the number of people in your apartment.
- Seal the doors to your apartment with wet towels or sheets, and seal air ducts or other openings where smoke may enter.
- Open windows a few inches at top and bottom unless flames and smoke are coming from below.
- Do not break any windows.
- If the conditions in the apartment appear life-threatening, open a window and wave a towel or sheet to attract the attention of firefighters.
- If smoke conditions worsen before help arrives, get down on the floor and take short breaths through your nose. If possible, retreat to a balcony or terrace away from the source of the flame, heat or smoke.



BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.

**TESTIMONY OF BRONX BOROUGH PRESIDENT RUBEN DIAZ JR.
BEFORE THE NEW YORK CITY COUNCIL COMMITTEES ON
HOUSING AND BUILDINGS AND FIRE AND EMERGENCY
MANAGEMENT ON INTROS. # 608, 609, AND 610.**

FEBRUARY 26, 2018

Good morning, Chairman Cornegy and Chairman Borelli. My name is Thomas Lucania, and I am here to testify on behalf of Bronx Borough President Ruben Diaz Jr. on three bills introduced at his request.

Bronx Borough President Ruben Diaz Jr., City Council Member Ritchie Torres and City Council Member Chaim Deutsch have introduced a package of new legislation designed to prevent catastrophic fires in the wake of December's tragic fire in the Belmont section of The Bronx, which saw 13 lives lost.

Borough President Diaz, Council Member Torres and Council Member Deutsch today introduced three bills that would improve fire safety and education, and potentially save lives:

Intro 610 would require owners of buildings with three or more units to provide and properly install approved stove safety devices on all stoves in units where a child or children 10 years or younger reside;

Intro 609 would require the Fire Department, in coordination with the Education Department, to implement a comprehensive plan for educating children and parents about fire safety and prevention;

and Intro 608 would require landlords to post a notice indicating that those escaping a fire should close all doors behind them.

These bills will help prevent future tragedies, and keep our first responders out of harm's way, to save lives.

On Thursday, December 28, 2017, a fire broke out at 2363 Prospect Avenue in Belmont. It led to 13 deaths, making it the deadliest fire New York City had seen in the past 25 years--since an inferno at the Happy Land social club killed 87 people in 1990. The five-story Belmont building was destroyed.

Investigators found that the fire was started by a three-year-old child playing with the stove in his apartment, and quickly grew out of control.

Just as we require window guards in apartments with young children, we should also require that stoves be made safer through the installation of approved safety devices. This tragic fire could have been prevented, had this young child been unable to tamper with the knob of the stove in his

apartment. The flames spread quickly, in part because, as the boy's mother fled the burning apartment she left the door open.

For a small investment of just a few dollars per stove, we can prevent children from easily tampering with a knob and accidentally causing a fire. We can also educate families to close the door behind them if they are escaping a fire, in order to prevent the fire from spreading and to protect their neighbors. Additionally, we can do more to educate children and families on fire safety and prevention.

This is critical legislation that will protect our families, our neighbors, and keep our fire department and other first responders safe in an emergency.

One of the 13 people who died in this fire was PFC. Emmanuel Mensah. PFC. Mensah lived in this building, and was found dead in an apartment that was not his own. He was trying to rescue his neighbors, and he succumbed to the blaze.

There are many ways we can honor his memory, and preventing future tragedies is one of them. I thank Council Members Torres and Deutsch for their partnership on this legislation, and I look forward to seeing these three laws, which directly address the causes of deadly disasters like this, passed.

Thank you.



New York Fire Sprinkler Council

A Division of Mechanical Contractors Association of New York, Inc.

Testimony before the New York City Council **Committees on Fire and Emergency Management and Housing and Buildings** Oversight - Issues Related to Recent Residential Fire February 26, 2018

Good morning Chairs Borelli and Cornegy and committee members. My name is Melissa Barbour. I'm with the New York Fire Sprinkler Council, a division of Mechanical Contractors Association of New York, Inc. (MCA). MCA is an organization comprised of 130 member firms employing Steamfitters Local Union 638.

MCA represents licensed contractors that are responsible for the installation, inspection, testing and maintenance of fire-suppression systems in tens of thousands of high-density residential, commercial and industrial buildings, including hospitals, universities, power plants and water treatment facilities across the New York region. We represent the most competent, informed and highly skilled contractors in New York City and Long Island and regularly provide internal educational seminars and programs for our members that further the life-saving message of the importance of proper fire protection.

We are here today as a result of recent fire tragedies that struck our city; one being the devastating fire in the Bronx that killed 12 people, four of whom were children, injured another 14 people including 7 firefighters and displaced 22 families. This was the deadliest fire in New York City in 27 years. Our fire protection laws have not caught up with the times. In fact, New York City has not passed significant fire sprinkler system protection legislation for residential buildings since 1999.

Currently, New York City does not require existing residential buildings to install fire sprinklers, leaving residents in older, multi-family buildings unprotected. Yet we know fire sprinklers save lives and are the first line of defense, controlling 99 percent of all fires. The need for fire sprinklers is clear, particularly since modern residential fires grow hotter, more toxic and burn 800 percent faster than they did just 40 years ago, due to furnishings that contain petroleum-based material.

In a report published this past July by the National Fire Protection Association, we see that from 2010-2014, the death rate per 1,000 reported fires was 87% lower in properties with fire sprinklers than in properties with no automatic extinguishing systems. In addition, where sprinklers were present, flame damage was confined to the room of origin in 97% of fires. This saves lives first and foremost but also averts major property damage and can be the difference between being a family being displaced or being able to return home.

Another study conducted by the University of Nevada, Las Vegas, College of Urban Affairs, showed that smoke detectors without a fire sprinkler system do not appear to be enough to save lives or reduce major home damage. The study also notes that a fire sprinkler system pays for itself in the first few months after the home is complete.

We applaud the City for enacting significant fire safety legislation that has saved countless lives over the years. One of those laws was Local Law 26, passed in 2004 requiring all commercial buildings 100 feet or taller to be retroactively equipped with fire sprinklers. Since then, fire deaths in New York City office buildings and businesses have become virtually non-existent.

However, this begs the question of equity. If office buildings are required to have sprinklers and shiny new condos are as well, why are residents who live in older buildings, who are often lower income, not given the same protection?

Florida has taken steps to protect its residents by passing a statewide law requiring sprinklers in residential buildings taller than 75 feet and older than 23 years. We see it can be done and we are urging the same - that all New York City buildings taller than 75 feet be retrofitted with sprinklers. We know fire sprinklers save lives and no one should be denied of that protection. What is safe for a building constructed in 2017 should be safe for a building built in 1950, and regulations should cover residents in both cases.

We cannot wait for another tragedy to strike before we act. Let's make sure we learn from the lives lost in the most recent Bronx fire as well as all of the other lives and homes lost in residential fires. We can and must do more to ensure equity and justice in our fire safety policies.

Thank you for your time today, and I'm happy to answer any questions.

Melissa Barbour
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Ganesh Maraj & Carmen Mendez-Maraj

“Testimony for the New York City Council on Issues Related to Recent Residential Fires.”

Good Morning everyone, my name is Carmen Mendez-Maraj I live at 144 West 19th Street, Apt A for the past 49 years. I am a proud mother of a 4 year old special needs child and a sister with developmental disability. On December 25th, 2017 Christmas Day, there was a three alarm fire that started in our building at 3:30pm on the 5th floor. It took approximately 145 firefighters to control the blaze, which took about 2.5 hours.

I would like to tell you the story of my sister Joanne Mendez. Unfortunately, she was the only person in our apartment that evening. She went into panic mood as she lacks cognitive skills in order to process the extent of the danger of the fire that day. She continued to run in and out of the apartment and our building hallway frantically in order to find out whether or not she should evacuate the building or just remain in the apartment. I found out about the fire after a nervous phone call from my sister Joanne who seemed to be in shock not knowing what to do. Finally at 6pm, a neighbor and a Red Cross employee knocked on our apartment door only to find my sister sitting in the dark alone and afraid to make a move without direction.

Unfortunately, this seems to be a common occurrence in most tenement buildings where human lives are lost because of a lack of fire plan implemented. As residents of 144 West 19th Street Apt A me and my family feel very unsafe and live everyday in fear since the fire in our building because of the ordeal we recently experienced. Every time my sister in law Joanne smells the slightest whiff of smoke, she immediately

gets in a panic. This is very alarming as she at times looks after our special needs child. Our senior citizen neighbors, who my wife has know all her life were displaced because of the fire, experienced a further depreciation in health of which has resulted in them not being able to return back into their apartment.

We are here today to very sincerely requests this bill #0599-2018 to be passed as part of NYS law so that the millions of residents that live in tenement buildings do not suffer the possible loss of a loved one because of the lack of outreach and education which the FDNY is well equipped to handle. We appreciate the time and voice that this New York City Council has given us this morning. Thank you for your time and have a wonderful rest of your day.

Amy Binkoff

"Testimony for the New York City Council On Issues Related to Recent Residential Fires."

Hello. My Name is Amy Binkoff and I live at 144 West 19th street.

On Christmas day at 3:30 pm I was happily watching the Marvelous Mrs. Maisel on Amazon Prime, when I smelled smoke. Minutes later the alarms went off and I heard my upstairs neighbor screaming "my apartments on fire, my apartments on fire. I knew I had to get out fast- all I took were my keys and my cell phone.

My apartment suffered water damage but I was assured that I would be able to come back home within 4-6 months, once repairs were complete.

On January 24th I received a certified letter terminating my lease.

Substantial Repairs

Did I leave out the part that I am a rent stabilized tenant!!!! For 23 years!!!!

Bad enough to experience the trauma of running out of a burning building – to lose almost everything I own- and then be told - I can't go home because my lease is being terminated for substantial repairs.....

They might as well have said your lease is being terminated because we want to get a market value tenant in who will pay twice the amount you pay.

If our leases are allowed to be terminated after a fire then what's to stop landlords from hiring people to set fire to their buildings to get rent stabilized tenants out.

Our Landlord – Caroline Palmieri demolished my apartment without a permit and ripped out fire proofing in the process – putting the remaining tenants in the building at risk.

This is our home – we trust that are safe – we put our lives in their hands.

If a fire started in my apartment I wouldn't know what to do to – except to run for my life and scream for help, and that is not enough. I want to be educated – I need to know everything I can do to prevent a fire from happening – to prevent a fire from spreading.

I am traumatized by the events on Christmas Day. The fire report says cause undetermined. So now I live in fear – of electrical outlets – space heaters – candles. That's no way to live. Tenants need to be educated.

I surveyed my friends before coming here, asking if they would know what to do if a fire started in their apartment – and every one of them said no.

I urge you to support passage of Corey Johnson's bill.

Our lives and safety depends on it.

Thanks for listening.....



May 6, 2017 at 12:29:26 PM



February 11, 2018 at 10:06:31 AM



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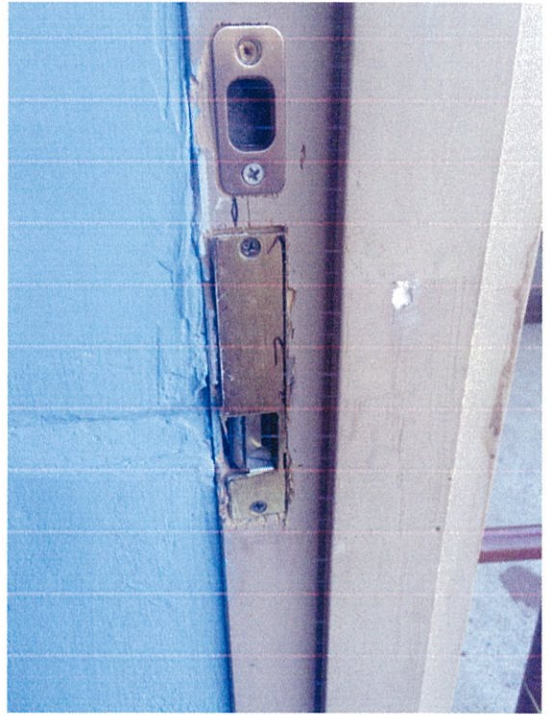
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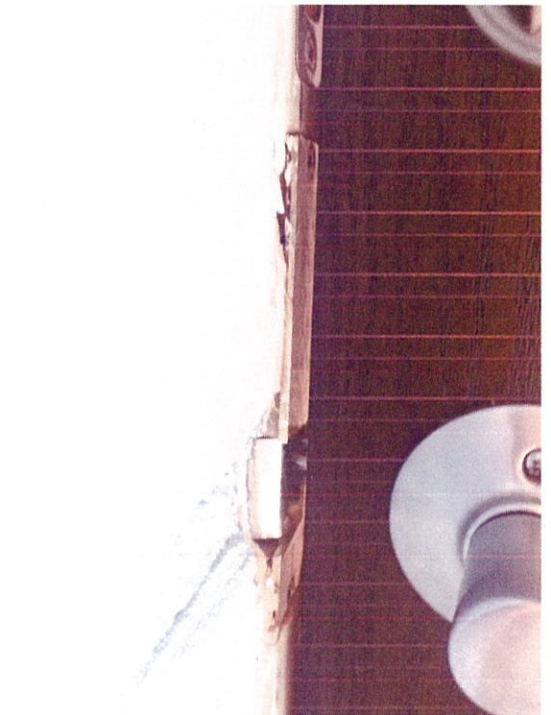
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June 1, 2016 at 5:50:38 PM



June 3, 2016 at 10:02:13 AM



July 25, 2016 at 8:22:28 AM



July 25, 2016 at 8:22:39 AM



February 5, 2017 at 11:04:05 AM



February 5, 2017 at 11:04:12 AM



March 1, 2017 at 10:09:11 AM



March 1, 2017 at 10:10:51 AM



May 6, 2017 at 12:18:29 PM



May 6, 2017 at 12:29:26 PM



May 9, 2017 at 7:47:03 PM



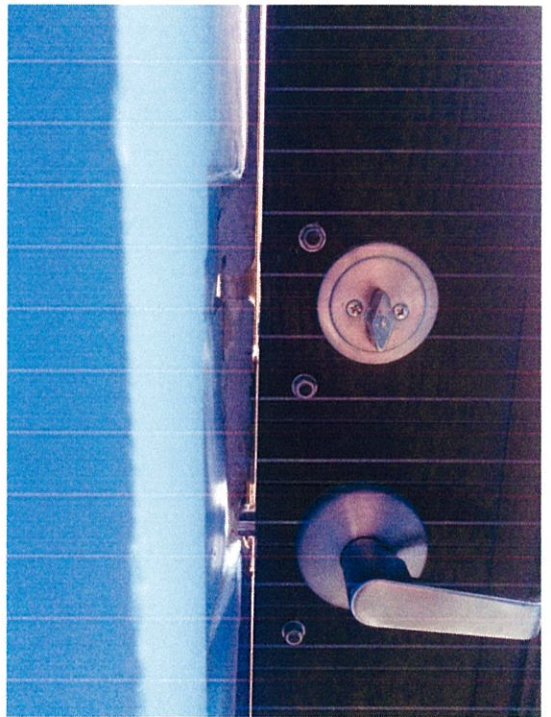
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October 14, 2017 at 9:29:33 AM



February 11, 2018 at 10:06:31 AM



February 19, 2018 at 11:33:01 AM



hallway radiator
August 4, 2015 at 11:03:51 AM



February 3, 2016 at 10:13:43 AM



the removal process..
February 3, 2016 at 10:14:10 AM



Feb 3 ripped out hallway radiator
February 3, 2016 at 10:13:39 AM



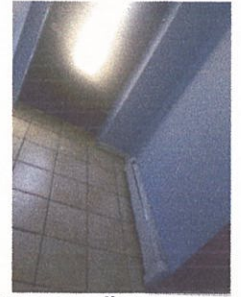
radiators gone
February 3, 2016 at 2:35:25 PM



Like we never had radiators
February 5, 2016 at 12:50:26 PM



cocked over pipe from hallway radiator
February 3, 2016 at 2:35:36 PM



Common area radiators
September 14, 2015 at 1:36:47 PM



February 14, 2016 at 8:52:20 AM



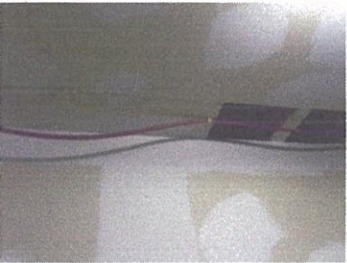
removed entrance radiator
February 4, 2016 at 9:37:53 AM



Like it was never there..
February 5, 2016 at 12:51:39 PM



January 12, 2016 at 9:42:53 AM



January 12, 2016 at 9:42:54 AM



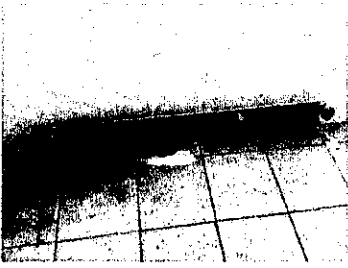
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January 30, 2017 at 11:16:23 AM



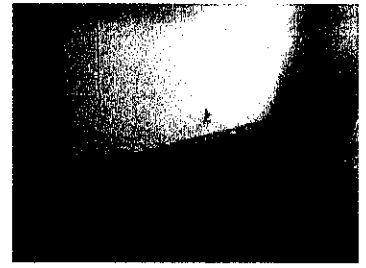
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Basement bathroom radiator
August 11, 2016 at 7:45:58 PM



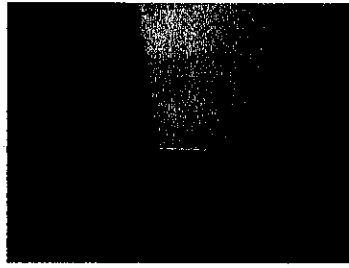
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August 29, 2016 at 10:15:15 AM



January 30, 2017 at 11:15:30 AM



Basement radiator
August 11, 2015 at 5:41:13 PM

Thank your for the opportunity to comment on this proposed legislation.

For the record, ABO has concerns about Intros 602, 604, 606, 608, and 610.

Int. 602 creates a retroactive requirement to install self-closing mechanisms on all apartment doors by December 31, 2020. This would seem to include thousands of doors where self-closing mechanisms were specifically not required by code because of sprinklers and other fire safety measures. In any case, it is a very short time frame to deal with potentially hundreds of thousands of doors and there is no provision to compensate owners for the expense. It should also be noted that many tenants will purposely disable self-closing mechanisms in order to, say, put the garbage out or chat with a neighbor in the hall without grabbing their keys. Any legislation should include provisions to make such actions by tenants unlawful, and for the City to enforce such provisions.

Int. 604 provides for the use of photoelectric smoke detectors near stoves. We have no objection to a prospective requirement, but the bill confusingly says "*On or before* January 1, 2019, smoke alarms and smoke detectors shall not be installed..." and the effective date for the second sentence of proposed 28-312.8 is also unclear.

Int. 606 would require building owners to maintain evacuation assistance devices on premises. Due to the widely divergent layouts of apartment buildings, the lack of public hallway closets or lobby space in many cases, and the total inability to store such devices in readily accessible and consistent spaces from building to building, we believe it would make much more sense for firefighters to carry such devices on their trucks ready to deploy. It is inconceivable that looking for a unique storage location in each building would be faster.

Int. 608 requires posting a notice about closing doors in case of a fire. As the Council is aware, tenants are now repeatedly given fire safety plans. ABO generally opposes all new posting requirements until the Council pares down the dozens of existing required sign postings that tenants routinely ignore. More signs don't educate anyone. They become wallpaper.

Int. 610 requires owners to install and maintain stove knob covers in apartments with children under 10. There are no standards for stove knob covers, no age ranges for which they have been proven effective (although they never seem to be advertised for children over six), no style that works on all stoves, and, in fact, there are stoves with recessed knobs on which no covers can be installed. Further,

these tend to be plastic items costing less than ten dollars and are subject to breaking and easy removal by tenants who find them inconvenient. Owners cannot endlessly monitor and replace knob covers under tenant control. Even safety authorities that suggest parents consider them, including Consumer Reports, advise that removing the stove knobs altogether when not in use is safer than using covers. As with many baby-proofing devices, such as plastic outlet covers within an apartment, this is a parental responsibility, not a building owner's.

Dan Margulies

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MEMORANDUM IN OPPOSITION

INTRO NO: 606

SUBJECT: A Local Law to amend the administrative code of the city of New York, in relation emergency evacuation assistance for individuals with limited mobility

SPONSORS: Richards

DATE: February 26, 2018

The Real Estate Board of New York (REBNY), representing over 17,000 owners, developers, managers and brokers of real property in New York City, appreciates the opportunity to provide comments on the proposed legislation. While REBNY supports the overall goals of the bill to assist individuals with limited mobility, there are several reasons why this bill is impractical.

The legislation requires the installation of equipment, such as stair descent devices and applies retroactively to all existing residential buildings. This is problematic due to lack of extraneous space, particularly for older structures. An amendment to the bill should exempt such buildings and those where installation of such devices may hinder efforts to evacuate safely.¹

It would be very difficult to implement the bill effectively and safely—undercutting the very goals of the bill. Many of the devices envisioned by the bill require manual assistance from staff during an evacuation event. Building staff would need to be trained to assist a wide range of individuals with limited mobility and/or other disabilities, such as partial or full paralysis, or blindness. Such providers could be subject to additional liability in the event of any shortcomings arising from an evacuation. An amendment to the bill should include “good Samaritan” provisions to shield care providers from such liability.

A far more effective approach would be for the City to collect a list of individuals requiring assistance and allow the NYC Fire Department (FDNY) or the NYC Police Department (NYPD)—personnel who are otherwise properly trained to assist with this—access through an online registry. This would be notably beneficial in buildings that are not staffed day and night, which is most common in the luxury housing market.

Individuals faced with disability and limited liabilities are already protected through federal, state and local laws, such as Americans with Disabilities Act, the Rehabilitation Act, the Fair Housing Act as well as NYS and NYC human rights laws, which ensure buildings provide certain accommodations, prohibit housing discrimination and provide accessibility assurance.² Any new requirements to this effect should ensure these continued protections and not hinder the safety of this population.

For the abovementioned reasons, **REBNY OPPOSES INTRO No. 606.**

¹ Barnes, Jonathan. “Ain’t No Crystal Stair: Care and Maintenance of Stairwells.” *The Cooperator*. May 2013. Accessed 2.23.18. < <https://cooperator.com/article/aint-no-crystal-stair/full#cut>>

² Laws, NYC Mayor’s Office for People with Disabilities. Accessed 2.23.18 <<http://www1.nyc.gov/site/mopd/laws/laws.page>>

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/26/18

(PLEASE PRINT)

Name: Julian Bazel, Fire Code Counsel

Address: 4 Metrotech Center

I represent: FDN

Address: 4 Metrotech Center

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/24/18

(PLEASE PRINT)

Name: Fabricio Lara, Director of Community Affairs

Address: 4 Metrotech Center

I represent: FDN

Address: 4 Metrotech Center

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/26/18

(PLEASE PRINT)

Name: Edward Ferrer, Deputy Assistant Chief

Address: 4 Metrotech Center

I represent: FDN

Address: 4 Metrotech Center

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 2/26/18

(PLEASE PRINT)

Name: John Sudnik, Chief of Operations

Address: 9 Metrotech Center

I represent: FDNY

Address: 9 Metrotech Center

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 608,609 Res. No. 610
 in favor in opposition

Date: 2-26-18

(PLEASE PRINT)

Name: Thomas Lucania

Address: Office of The Bronx

I represent: Borough President

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: LYRIC THOMPSON

Address: 1355 DECATUR #3 ~~BRONX~~ BRONX

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition 603
598, 602, 608 Date: 2/26/18

(PLEASE PRINT)

Name: Robert Ungar

Address: _____

I represent: Uniform Firefighters Assoc., Uniformed Firefighters Association + Inspector FDNY

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. 602, 604, 608, 610 Res. No. _____

in favor in opposition
Date: 2/26/18

(PLEASE PRINT)

Name: Frank Ricci

Address: _____

I represent: Rent Stabilization Assoc. (RSA)

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Oversight
~~oversight~~
residential
fires

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition
Date: 2/26/18
Oversight
res. fires

(PLEASE PRINT)

Name: Melissa Barbour

Address: 33 Deer Run Water Mill Ny 11976

I represent: Mechanical Contractors Assoc. of Ny

Address: 44 W 28th St Ny, Ny 10001

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: Feb 26 2018

(PLEASE PRINT)

Name: Amy Binkoff

Address: 144 West 19th St / Apt

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 02/26/18

(PLEASE PRINT)

Name: CARMEN MENDEZ-MARAJ

Address: 144 WEST 19TH ST APT A NY, NY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 02/26/18

(PLEASE PRINT)

Name: GANESH MARAJ

Address: 144 W 19TH ST APT#A, NY, NY

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms