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TESTIMONY OF MAYOR'S OFFICE OF HOUSING RECOVERY OPERATIONS BEFORE
THE NEW YORK CITY COUNCIL COMMITTEE ON RECOVERY AND RESILIENCY
REGARDING INTRO. 1341

October 27, 2016

Good morning, Chair Treyger, and Members of the Committee. I am Amy Peterson, the Director of the Mayor's Office of Housing Recovery Operations. I am joined today by Patrick Wehle, Assistant Commissioner for External Affairs at Department of Buildings.

I am here today to speak in support of the legislation sponsored by Council Member Treyger at the request of Mayor de Blasio. As you know, the City is working hard to complete Build It Back construction and return homeowners to safe and resilient housing. As we work to complete the most challenging projects, we have identified two separate processes that will benefit from City legislation:

1. Expedite the demolition of homes by allowing City managed contractors to file required paperwork with Department of Buildings *after* demolition and proceed *immediately* with demolition under the oversight of contracting City agencies and the full-time supervision of design professionals and on-site safety professionals.

2. Where lack of resolution on long-standing pre-existing violations and open permits have been a barrier to securing necessary approvals, this law will provide homeowners with a path forward.

With your partnership, we can clear the way for roughly 200 homeowners who have been unable to proceed with the program to secure building permits and other necessary approvals to start and complete work on more resilient housing. We can also achieve significant time savings in the demolition process. And if we seize these opportunities today, we will be able to capitalize on the remaining weeks of fall weather before construction productivity declines with the arrival of winter weather.

Expedite Demolitions

The City has taken numerous steps to shorten the timeframe for filing for demolition permits. This legislation will further shorten the time frame by allowing paperwork to be deferred until after demolition.

Although we are motivated by our goal of returning applicants to their homes as soon as possible, safety is our paramount concern. We've developed an alternative approach to the demolition process that defers submission of paperwork to DOB, but benefits from multiple layers of professional oversight to ensure the safety of the process. To start off with, this process will apply only to projects being completed through contracts held by City agencies doing Build-It-Back work. Second, the demolition plans will be prepared and stamped by a licensed design professional such as an architect or engineer. Third, the demolitions will be completed under the supervision of design professionals and safety professionals who will be on

site at all times to monitor the work. Finally, the city's professional consultants (registered design professionals, construction management and safety professionals) will ensure that all of the DOB-required documentation is prepared prior to demolition to ensure compliance with all relevant code requirements. The contractors will maintain proof of compliance on site for inspection at any time. Contractors will still be required to submit the paperwork to DOB after completion of the demolition.

By eliminating the need for plans to be filed, approved, and permitted prior to commencement of work, we anticipate shortening the timeframe for demolition significantly. And with all of these safeguards in place, we are confident that the work will be done consistent with the highest standards of safety for everyone involved – workers and neighbors alike.

With the winter months approaching, the time for this proposal is now. The sooner we can proceed with demolitions, the sooner we can begin foundation work. Foundation work relies heavily on concrete work, which becomes much more challenging when temperatures drop below 40 degrees for three consecutive days. Historical temperature data for New York City show that days over 40 degrees are much more common in November and even December, but average highs dip below 40 degrees when January arrives. Moving forward with this legislation today will allow us to take maximum advantage of these remaining productive weeks.

Open Permits and Violations

The legislation will provide a path forward for homeowners with open permits or open Department of Building violations. Hundreds of homes in the Build It Back program had open permits or open violations, including work without a permit violations, prior to applying for or

beginning Build It Back construction. Throughout the program, the Housing Recovery Office has worked with the Department of Buildings, elected officials, the American Institute of Architects, and nonprofit organizations to resolve and close these open issues. Many of these issues are decades-old and may even pre-date the current ownership. There remain approximately 200 homeowners in the Build It Back program where these issues have not been resolved. This legislation will allow these homeowners to proceed with Build It Back construction, and defer resolution of these issues until after Build It Back has completed its work.

Homeowners would still need to address underlying conditions including open permits in order to obtain a new Certificate of Occupancy, but this legislation would allow the work to proceed before those issues are resolved and enable Department of Buildings to issue a Letter of Completion certifying that the elevation was completed according to approved plans. The law would also allow homes not requiring a Certificate of Occupancy to receive a letter of completion notwithstanding pre-existing violations or pre-existing permits that have not been signed off.

Lastly, the legislation would also allow the Department of Buildings to waive penalties specifically in cases where civil penalties were imposed for pre-existing violations for work without a permit. We are targeting these particular violations, because work cannot proceed without resolution of outstanding work without a permit violations. This provision will allow city contractors to obtain permits and proceed with work right away. .

Thank you for the opportunity to testify. We appreciate the Council's willingness to take up this matter with urgency and attention. We know that with the approaching winter season,

every day counts, and we believe this legislation can make a difference *today* for homeowners.

My colleagues and I will now take any questions you may have about the legislation.

**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: _____

Name: Amy Peterson (PLEASE PRINT)

Address: _____

I represent: Mayor's office of Housing Recovery operations

Address: _____

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

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 341 Res. No. _____

in favor in opposition

Date: October 27 2016

Name: Patrick Wehle (PLEASE PRINT)

Address: Assistant Commissioner EXI. Affairs

I represent: DOB

Address: _____

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