December 2, 2020

Hon. Robert Cornegy, Jr., Chair
Committee on Housing and Buildings
New York City Council
250 Broadway, Suite 1743
New York, NY 10007

Dear Chair Cornegy:

We are proud to support Intro 1917-2020 which would create an exemption from the prohibition on self-certification established by Local Law 158-2017 for properties with both residential and non-residential occupancies.

The New York Building Congress has, for almost a hundred years, advocated for investment in infrastructure, pursued job creation and promoted preservation and growth in the New York City area. Our association is made up of over 550 organizations comprised of more than 250,000 professionals. Through our members, events and various committees, we seek to address the critical issues of the building industry and promote the economic and social advancement of our city and its constituents.

While Local Law 158-2017 was designed to increase protections for residential tenants who may be victims of construction-as-harassment, the law is having significant unintended consequences for commercial properties affecting opportunities for economic growth and job creation across the city. The ability to self-certify is an important tool for commercial properties, as it provides the opportunity to utilize trained and licensed professionals to expedite the processes to attain a certificate of occupancy. Self-certification is especially useful in situations where a property has more than one tenant, notably when tenants are responsible for doing the fit outs of their leased space.

Unfortunately, Local Law 158-2017 as enacted currently causes every tenant in a building to lose the ability to self-certify projects in the space they control, even if an unrelated tenant is found to have done work without a permit. As a result, businesses of all sizes are forced to spend added time navigating additional obstacles, despite never actually being a part of the underlying violation. In many instances, businesses cannot afford to float their business for months and up to a year while they await the approval to fit out their leased space.
While we fully support the intent of Local Law 158-2017, which is to protect residential tenants from unsafe conditions and harassment, Intro 1917-2020 makes needed corrections to exempt commercial properties to LL158-2017 and removes these extra burdens on businesses.

On behalf of the New York Building Congress, we urge the Committee to approve this bill.

Thank you for the opportunity to be heard on this critical application.

Very truly yours,

[Signature]

Carlo A. Scissura, Esq.
President & CEO
New York Building Congress