

Bill	Sponsor	Summary	Status	QCC Critique
3	Avella	Requires that, upon notification to DOB of demolition work occurring without a permit, DOB must notify the police department, including the local precinct, where the demolition work is occurring. The Police Department may implement enforcement measures to stop such work. Bill provides that any person convicted of conducting such illegal work be guilty of a misdemeanor, punishable by a fine not to exceed \$5,000 or by imprisonment not to exceed six months or both.	5.16.06 Hearing by committee on Housing and Buildings	Support in principle -Needs to repeat requirement of notice to adjoining property owners and Community Boards and local Police Pct -Change police discretion from may to must
6	Avella	Prohibits the issuance of permits for building construction which is not in compliance with rezoning proposals, once the Department of City Planning has formally voted and approved of such proposal. DOB would continue the moratorium until the City Council has voted on such proposal.	Committee on Housing and Buildings	Support in principle -add provision suspending any issuance of permits if the NYCC sends proposal back to CPC for revisions under the NYC Charter
15?	Avella	Empower the DOB to enforce deed restrictions filed with DOB by either by the owner of the property a home owner association or a civic association . A separate but similar Intro by CM Katz does not permit filing of deed restrictions by homeowner civic associations; and does not therefore merit support.	Committee on Housing and Buildings	Support
29	McMahon	Requires that building plans are filed, that they be subject to an examination and approval by personnel of DOB, specifically qualified engineers or architects that are experienced in building construction and design.	Committee on Housing and Buildings	Support in principle but needs to coordinate with other listed Intros
30	McMahon	Requires DOB to notify the appropriate community board and council member, within five days of receipt of an application for work being done to a building in their district.	5.16.06 Hearing by Committee on Housing and Buildings. Amended to require the applicant, not DOB to give notice.	Reservations The time line of notice is too long. In the day of E-mail notice must be within 24Hrs to prevent illegal activity.
43	Avella	Requires that DOB notify the local precinct of the police department, and the council member and community board, of stop work notices and orders and upon such stop work notice or order being rescinded.	Committee on Housing and Buildings	Reservation Failure to require 24 Hr notice undercuts any meaningful remedy

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88	Liu	Increases the penalties for persons who make a false certification of correction of a violation.	Committee on Housing and Buildings	Reservations without coordination with other Intros to require that the building be restored to prior state the financial continues to favor the builder
132	Recchia	Makes persons convicted of conducting demolition work without a permit on a one-family or a two-family dwelling guilty of a misdemeanor, punishable by a fine not to exceed ten thousand dollars. Prohibits DOB from issuing a permit to such person for at least 90 days subsequent to the issuance of a notice of violation.	5.16.06 Hearing by Committee on Housing and Buildings	Oppose How can anyone be allowed to conduct business before the DOB who has been convicted of a crime in construction field. Should be a lifetime ban
144	Weprin	Prohibits persons from filing any plans or applying for any permits where any owner, lessee or owner of shared has failed to pay a fine or penalty imposed pursuant to the city planning code or building code of the City of New York, or failed to correct such violations. The bill further prohibits persons from applying for any permits where any officer or employee of DOB could not access the property after two attempts, in response to a complaint received by DOB. The bill authorizes the commissioner of DOB to approve plans or issue permits if the owner, lessee or owner of shares has valid proof of a payment agreement that shows that all outstanding fines and penalties will be satisfied within six months of the filing of the plan, if the commissioner finds that approval of the plans or permits is necessary to correct the condition that resulted in the fines or is necessary to eliminate an unsafe or hazardous condition, and if DOB is able to access the property to conduct an inspection and such inspection does not reveal any new violations. Furthermore, the bill authorizes DOB to ascertain whether any of the principals with at least 20% ownership in such property has any outstanding fines or violations imposed pursuant to the city planning code, the building code or the electrical code.	Committee on Housing and Buildings	Support in principle -Exemption for allowing a builder to resume work with a permit provided he has a valid satisfaction to pay outstanding fines must be stricken from the Intro The equity ownership should be 10% not 20% the standard the SEC uses for controlling interest.

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147	Weprin	<p>Makes it unlawful for any real estate broker, dealer, developer, office or any agent or employee of a broker to represent, for the purpose of encouraging a real estate transaction that a change has or will occur in land use or zoning regulations in any block or neighborhood or area that may result in a reduction of area property values. The bill would also make it unlawful for any broker, dealer, developer, office or agent to make any misrepresentation in connection with a real estate transaction, that there will or may be a deterioration of the buildings or fair market depreciation in any area resulting from a change in land use or zoning regulations, and prohibits such persons from making reference to such changes in land use or zoning regulations in an advertisement. The bill establishes that persons in violation of these provisions shall be guilty of a Class A misdemeanor. The bill further specifies he damages that could result if a civil action is brought against such broker, dealer, office, developer or agent.</p>	Committee on Consumer Affairs	<p>Reservations  -This conduct is already illegal  -The legislation needs to be redrafted to more clearly define the criminalization of current unethical conduct  -The Sec of St needs to concur</p>
179	Oddo	<p>Establishes that, buildings for which there are at least ten thousand dollars of unpaid fines and civil penalties imposed as a result of one or more illegal alterations or conversions shall be declared a public nuisance. If such fines go unpaid for a period of thirty days or more, the commissioner is authorized to order the closing of the building to the extent necessary to abate the nuisance following a hearing before the environmental control board or administrative tribunal. Furthermore, the bill provides that, if the owner, mortgagee, or other person having an interest in the property provides proof that the illegal conversion has been discontinued and the property has been restored so that it is in compliance with all applicable law, the commissioner may rescind the closure order.</p>	Committee on Housing and Buildings	Support
216	Gentile	<p>Increases the civil penalties for failure to comply with a stop work order from five hundred to two thousand dollars for each day there is non-compliance. The bill also creates a fine of no more than fifteen thousand dollars and/ or imprisonment not to exceed six months for violations of a stop-work order or for work performed without a permit.</p>	Committee on Housing and Buildings	Reservations while well meaning fails to set standards on conduct being criminalized

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261	Avella	Requires that copies of a decision of the Board of Standards and Appeals of any recommendation of the affected community board of borough board be filed with the Speaker of the City Council within thirty days of rendering such decision. The bill authorizes the City Council to assert jurisdiction over such decision within twenty days of receipt of such decision. If the City Council asserts jurisdiction over such decision, the Council must conduct a hearing on such decision.	Committee on Land Use	Oppose -NYC Admin Code provides only 30 days to appeal BSA This notice fails to provide sufficient notice
262	Avella	Requires that a decision by the Board of Standards and Appeals related to applications to vary the zoning resolution and applications for special permits shall be made by a two-thirds majority of the quorum present and voting.	Committee on Government Operations	Support NB virtually all BSA dec are currently unanimous
263	Avella	Increases the membership on the Board of Standards and Appeals to thirteen members, with the eight additional members to be appointed by the borough presidents, Public Advocate, Comptroller, and City Council.	Committee on Government Operations	Oppose While well intentioned this Intro fails to address the legal consequences of BSA matters. It is not the number but the rules & lack of economic analysis. The possible call up by NYC lulls people to avoid an Art 78 which they must file in 30 days.
265	Brewer	Amends the definition of "alteration" and "demolition" in NYC Administrative Code. "Alteration" would only include existing buildings and would not include additions, changes, or modifications that result in more than 30% of the buildings structural shell being rehabilitated, maintained or reused. "Demolition" would include additions, changes or modifications to existing buildings that result in more than 30% of such buildings shell being rehabilitated, maintained or reused.	5.16.06 Hearing by Committee on Housing and Buildings	Support
299	Nelson	Authorizes DOB to permanently revoke the self-certification privileges for each professional engineer or registered architect found by DOB to have two self-certified applications that were found to contain false information or found not to be in compliance with all applicable provisions of law.	Committee on Housing and Buildings	Reservations: Considering the likelihood anyone will be caught the privileges should be suspended on the first occasion
308	Vacca	Authorizes DOB to examine applications for the approval of plans that was submitted by any professional engineer or registered architect that was subject to	Committee on Consumer Affairs	Oppose: DOB always has the right to reexamine plans based

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		sanction by the Board of Regents and that resulted in such engineer's or architect's placement on probation, for the period of time that such professional was is subject to such probation.		on integrity issues. This Intro undercuts the executive branches authority
309	Vacca	Authorizes DOB to revoke the self-certification privileges of engineers or architect who have self-certified applications that cont false information or were not in compliance with all applicable provisions of law on three or more occasions during any twelve month period. Establishes that DOB may restore the self-certification privileges, and upon such restoration, such engineer or architect shall be placed on probation at the end of the suspension period. If an architect or engineer is found to have self-certified an application that is found to contain false information or is in violation of all applicable provisions of law, DOB may permanently revoke such architects or engineers privileges. Furthermore, the bill would require that DOB create and maintain a database of all engineers and architects that have self certified false or non-compliant applications. By February 1st of each year, DOB must prepare a report and provide such report to the Mayor, the City Council and the Department of Consumer Affairs. The information contained in such report would be available to any person who requests such information from DOB.	Committee on Housing and Buildings	Oppose: This Intro requires a three time loser within a 12 month period. Hopefully he will be in jail by then. This Intro is a de facto immunity provision for the professional with a max penalty of probation
QCC Prop #1		Amend the NYC Administrative Code DOB and ECB Sections to require access to a civil DOB safety or compliance inspection by DOB HPD or Fire Department. Failure to admit an inspector will result in a \$500 a day fine which shall continue until access is given the inspector	In need of a NYC Member to sponsor	Support
QCC Prop #2		Amend the NYC Administrative Code (1)to increase the time to bring an Art 78 BSA determination from 30 days to 90days. (2) prohibit an applicant from withdrawing an application once the BSA meets in executive session to discuss the case.; this would ensure that negative opinions on applications will be filed (3) mandate a complete economic analysis of all variances [increase budget of BSA to hire skilled staff to do so]. (4) add a rotating member of the CPC to the BSA . (5)Ban the argument of obsolescent zoning as a guise to overturn existing zoning.(6) If there is a double No [CB & BP] and the BSA must be unanimous to overturn the double No and give their reasons in their decision These solutions will eliminate most of the SB	In need of a NYC Member to sponsor	Support

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QCC Prop #3		<p>Amend DOB budget to prohibit DOB from using self certification if DOB fails to audit at least 20% of all self certified applications in any quarter of the FY</p> <p>Amend NYC Administrative Code to require that if there is reasonable suspicion to believe that an authorized self certifier has made a material misstatement or representation before DOB or HPD or NYFD the matter must be referred to DOI and the DAO and the NY State Board of Regents immediately. If a reason to believe such a material misstatement or misrepresentation has been after an administrative hearing the individual will be permanently banned from self certifying or assisting his or her firm in any self certification program in the City of NY</p>	In need of a NYC Member to sponsor	Support