

1. Has the DOB changed any of their procedures regarding the Tenant Protection Plans due to LL 106 of 2019? That Local Law made the TPP filing requirement an obligation of the owner & contractor prior to permit. Even though it was published the June Building News, I just noticed that it does not become effective until 9 months after it becomes law or sooner if implemented by the DOB. Does the DOB still require the TPP from the design applicant as they have for the past couple of years?

Please see attachment (TPP LL 106 2019) demonstration.

2. LL 94/2019 seems to be going into effect sometime November 2019. Can we file DOB application before November 2019, and have green roof or solar panel be an Owner's option instead of mandatory requirement?

With regards to item #2 the attached draft bulletin clarifies the effective date as follows: Projects with construction documents approved on or after November 15, 2019 are subject to the requirements of LL 92 and 94 of 2019, unless the construction documents have attained BIS job status K (plan exam partial approval) prior to such date.

3. Section 28-108.1 of BC-2014 states that "The commissioner shall not issue a permit for the erection of a new building or for alterations that will require the issuance of a new or amended certificate of occupancy without a statement that no certificate of occupancy shall be issued unless the sidewalk in front of or abutting such building, including but not limited to the intersection quadrants for corner properties, shall have been paved or repaired by the owner, at his or her own cost, in the manner, of the materials, and in accordance with the standard specifications prescribed by the New York city department of transportation pursuant to sections 19-113 and 19-115 of the administrative code".

Exception 3 to this paragraph states "where the extent of the change in use or occupancy or the cost of the alteration does not exceed a threshold established pursuant to rule of the commissioner".

Alt.1 is proposed for existing two-story and basement one-family house – vertical enlargement, adding 3rd floor. Existing sidewalk is in satisfactory condition. Can we waive BPP requirement by applying exemption 3, arguing that there is no "change in use or occupancy" – it's still one-family residence?

NO, if the cost of the alteration that includes enlargement with or without change of use or occupancy and exceeds 30% of the building value, the alteration will not qualify for waiver under exemption 3.

What is "a threshold established pursuant to rule of the commissioner"?

The threshold is established by the directive #9 of 1972 which was modified on April 2, 1976 (please see attached directive). It is 30% of the value of the building when the use of the building is changed.

There is no cost threshold for only interior alteration when the use is not changed.

4. If a contractor's DOB registration expiration date is 11/01/2019.

All 3 of his insurances do not expire until 09/12/2020.

If he applies for an OT permit for Alt.2 job on 10/18/2019, when will this permit expire?

The Contractor can pull permits as long as valid Insurance is in place up to 11/1/19.

The permit will expire 9/12/20

5. Is Home Improvement License still mandatory for renovation jobs at 1-, 2- and 3-family houses?

If yes, then how come some contractors and/or their expeditors are able to skip this requirement?

See attachments.

6. Why can't the "Fee Estimators" have the authority to decide on a fee reduction on an L2 "REDT" rather than dropping it off in the Commissioner's Office and wait 1 1/2 to 2 weeks for it to be reviewed? Trying to resolve Work Without permit violations have just become a nightmare to resolve between the hefty and obscene fees being charged by DOB and ECB, all for the same violations, and the lengthy and laborious process to get the stop work order lifted. This additional delay of 1 1/2 to 2 weeks certainly doesn't help.

REDT civil penalties waiver must be reviewed by the Commissioner or Deputy Commissioner.

In addition, this waiver must be approved by the DOB Fiscal unit.

In general, any waiver reason that requires fiscal approval must be reviewed by BC or DBC; waiver requests, which are not require Fiscal approval can be reviewed by fee estimator.