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Contact:
Corey Bearak (718) 343-6779
Patricia Dolan (718) 263-1760

QUEENS CIVIC CONGRESS TESTIFIES ON NEED TO REFORM BUILDINGS DEPT AT MAYORAL HEARING

The Queens Civic Congress [QCC] called on the Mayor and the Council to create a multi-agency Task Force of lawyers, engineers, architects and construction professionals to coordinate enforcement of building, zoning, fire, environmental and other regulations, in testimony to the Mayor's Oversight Commission: Department of Buildings, yesterday at City Hall, said President Sean M. Walsh. "Its ultimate task would be to put in place professional management and staff at a reformed Buildings Department," said Executive Vice President Patricia Dolan who prepared and delivered the testimony.

"The Queens Civic Congress also recommends reforms to the Buildings Department," advised Executive Vice President Corey Bearak. The needed reforms include:

1. elimination of self-certification building plans;
2. Greater authority for inspectors to gain access to premises suspected of serious violations;
3. authority to enforce deed restrictions and covenants relating to bulk and occupancy; and
4. use of fines and fees to fund enforcement.

As an umbrella group of almost 100 civic organizations, the Queens Civic Congress membership represents almost every community in the borough. The Queens Civic Congress Online, its website, www.queensciviccongress.org, provides information on upcoming events, the civic platform and resources link to government, non-profit and community organizations.

Executive Vice President Dolan's testimony follows:

Good morning. I am Patricia Dolan, executive vice-president of the Queens Civic Congress, a coalition of almost 100 neighborhood-based civic groups representing communities across Queens.

During the past decade, unplanned, often illegal construction has wrecked havoc on neighborhoods across the city and especially in Queens, whether in the form of illegal conversion of small homes into multiple dwellings contrary to zoning, construction of so-called McMansions in excess of contextual zoning, or alterations of existing houses that stretch the zoning envelope.

Queens civic associations have led efforts to contain the relentless tide of inappropriate building that is attacking our neighborhoods. We spearheaded efforts to use zoning strategies to protect our neighborhoods as members of Borough President Shulman's Zoning Task Force. The Contextual Zoning Amendments of 1988 are the product of a Queens-wide campaign to save neighborhoods from the depredations of developers in the 1980's. Congress members have successfully advanced rezoning of more than 30 Queens neighborhoods across the borough.

Too often, builders and property owners have simply ignored the new zoning, frequently with permits issued by the Buildings Department.

Flagrant illegal conversion of small homes to multiple occupancy in neighborhoods in every corner of Queens led to Borough President Shulman to form the Task Force on Illegal Conversions. Congress members worked on the task force to identify major culprits including the chief violator in the Rockaways, the infamous Sue Me, Inc. We supported legislation enacted by the City Council and signed by the Mayor that increases penalties against habitual violators. We successfully worked for State legislation, sponsored by Assemblywoman Pheffer, and signed into law by Governor Pataki to convert fines to tax liens.

Unfortunately, Buildings Department enforcement continues to be lax and desultory. Too many violators have ignored sanctions and continue the illegal conditions.

Most Queens civic leaders have thick files of complaints, that were ignored or dismissed by the Buildings Department. The few instances of the community prevailing over unscrupulous builders and owners, came at great effort and cost in time, exertion and scarce resources.

So, we were not surprised at the scandal that engulfed the Buildings Department, last summer.

There is a direct line between the current scandals, the degradation of neighborhoods, and the Department of Buildings' failure to enforce the Building Code and the Zoning Resolution; its practice of issuing work permits on certification by contractors' or developers' architects and engineers; and its consistent refusal to effectively respond to the public's complaints.

Transferring the functions and responsibilities of the Buildings Department to another mayoral agency is not the answer. A transfer, in our opinion, would require an amendment to the City Charter. There is another, better solution.

In 1997, the Congress called on the Mayor and the Council to create a multi-agency Task Force, responsible to the Mayor, of lawyers, engineers, architects and construction professionals to coordinate enforcement of building, zoning, fire, environmental and other regulations. Its ultimate task would be to put in place professional management and staff at a reformed Buildings Department.

Any reform of the Buildings Department must include 1. elimination of self-certification building plans; 2. Greater authority for inspectors to gain access to premises suspected of serious violations; 3. authority to enforce deed restrictions and covenants relating to bulk and occupancy; and 4. use of fines and fees to fund enforcement.

The Mayor and City Council must provide the will and leadership necessary to reform the Buildings Department.

The Queens Civic Congress will provide lists of complaints upon request.

