

Press Release
Committee to Elect Dan Halloran
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CANDIDATE HALLORAN OUTLINES PLAN FOR CONTRACTOR & DEVELOPER ACCOUNTABILITY IN CONSTRUCTION

On Monday, April 20, 2009, the Queens Civic Congress meeting featured New York City Buildings Department Commissioner Robert LiMandri. The Commissioner outlined the new Building Department plan to create more transparency in the approval process for the submission of plans and follow-up compliance for initial and expansion construction in Queens, by making available online sketches of construction proposals.

During the meeting the Dutch Kills, Forest Hills, and Flushing Civic Associations expressed extreme displeasure for the current procedures which are in place to regulate runaway building contractors and developers. Many such projects have shirked local zoning and building ordinances and the offenders have evaded punishment in several major developments in those civic areas recently. Citing numerous examples of incidents of developers filing false documents with DOB or violating stop-work orders, damaging adjacent properties and engaging in unsafe construction, the community groups pressed for more action by the Department of Buildings when they confronted the Commissioner at the meeting. President of Glen Oaks Village, Bob Friedrich asked several pointed questions about the implementation of follow-up and review inspections for non-construction code violations such as building appearance and maintenance, as well.

As the meeting wore on, a universally expressed sentiment was that the Department of Buildings needed to do more to enforce its stop work orders, ensure compliance with building codes and make inspectors more available for on-the-spot violators; from filing through completion of construction and on to holding the builders and developers accountable for their violations of code and law, the community groups grievances mounted.

Council Candidate and local attorney Dan Halloran then spoke to the Civic Congress and addressed the Commissioner with a practical and pragmatic solution to the problem of enforcement: SURETY BONDING.

By compelling developers, general contractors, and architects-engineers who wish to work in the county to furnish revocable bonds at the outset of filing, and thereby guaranteeing compliance with local codes and law, the Department of Building could enforce levies against those bonds and hold the responsible parties accountable for construction compliance financially.

The Bonding of such jobs, could be provided on a sliding scale based on the scope of the project, and the forfeiture of the bonds could be triggered by such violations as filing falsely any DOB paperwork, building outside of code, failing to sure-up or protect adjacent properties, or other related construction abuses.

Council Candidate Halloran said, "Given the unprecedented level of violations by developers which damage both the aesthetics of local communities and compromise safety, it is unfathomable that the Department of Buildings cannot use its regulatory power to compel a bond on the three categories of liable-parties in building construction: General Contractors, Developer-Owners, and Architect-Engineers.

Noting that the true way to dissuade unscrupulous building is to make it cost-ineffective, the council candidate reiterated, "Common sense dictates that if you want to ensure that the pattern of deceptive filing, construction abuses, and safety violations are STOPPED- then you must make it too costly for the contractor or developer to skirt the law. By holding those categories of person or entity accountable, you can ensure recourse for the community, the adjacent property-owners, and the City, for any significant deviation from the accepted standards of code and conduct by developers or their agents. Simply attacking the license of an architect is meaningless when the General Contractor or Developer are at the heart of the problem."

Halloran, who was born and raised in Flushing, and whose family has been a part of the civic life of the Flushing community for nearly a century, was quick to note that the violations cost the taxpayers at every turn from enforcement to remediation. He urged the community leaders to continue to work with him and to press the City Department of Buildings to review its policies, which have tended to overlook the needs of the outerboroughs, on the issues that affect them, like overdevelopment.

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An Open Letter to New York City Buildings Department Commissioner Robert LiMandri:

Dear Commissioner:

At the April meeting of the Queens Civic Congress you spoke at length about the plans for holding unscrupulous developers more accountable for their violations of law and code. At that time I made a suggestion to you that would, in my opinion, alleviate the problem of rampant abuses in overdevelopment.

By compelling developers, general contractors, and architects-engineers who wish to work in our county to furnish revocable bonds at the outset of filing, an effective guarantee of compliance with local codes and law, would emerge. The Department of Building could enforce levies against those bonds and hold the responsible parties accountable for construction compliance financially. The Bonding of such jobs, could be provided on a sliding scale based on the scope of the project, and the forfeiture of the bonds could be triggered by such violations as filing falsely any DOB paperwork, building outside of code, failing to sure-up or protect adjacent properties, or other related construction abuses.

Given the unprecedented level of violations by developers which damage both the aesthetics of local communities and compromise safety, it is unfathomable that the Department of Buildings cannot use its regulatory power to compel a bond on the three categories of liable-parties in building construction: General Contractors, Developer-Owners, and Architect-Engineers.

The true way to dissuade unscrupulous building is to make it cost-ineffective, common sense dictates that if you truly want to ensure that the pattern of deceptive filing, construction abuses, and safety violations are STOPPED- then you must make it too costly for the contractor or developer to skirt the law. By holding those categories of person or entity accountable, you can ensure recourse for the community, the adjacent property-owners, and the City, for any significant deviation from the accepted standards of code and conduct by developers or their agents. Simply attacking the license of an architect is meaningless when the General Contractor or Developer are at the heart of the problem.

I urge you to consider using the regulatory authority of the DOB to craft such rules to ensure recourse and safety in construction in NYC.

Dan Halloran

City Council Candidate, 19th CD Queens