



DEPARTMENT OF BUILDINGS
EXECUTIVE OFFICES
60 HUDSON STREET, NEW YORK, N. Y. 10013
CHARLES M. SMITH, Jr., R.A. *Commissioner*

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ISSUANCE # 232

OPERATIONS
POLICY AND PROCEDURE NOTICE # 9/90

TO: Distribution
FROM: Stewart O'Brien, Deputy Commissioner
DATE: March 21, 1990
SUBJECT: Local Law 10/80 - Cycle 3

3/21/90 *[Signature]*

Purpose: To establish a uniform Citywide procedure for processing LL 10/80 Cycle 3 Inspection Report Filings.

Supercedes: George Berger memorandum dated February 4, 1987.

I. Statement:

- A. The third facade inspection report cycle began February 21, 1990 and will extend until February 21, 1992.
- B. All reports must now be filed at the Construction Division of the Borough office with the borough's designated Local Law 10/80 Coordinator. Listed below are the names of the coordinators and their phone numbers.

MANHATTAN	(212) 312-8814	Aida Rios
BROOKLYN	(718) 802-3705	Carolyn Mays
BRONX	(212) 579-6907	Martin Squitieri
QUEENS	(718) 520-3421	Joe Dillutri
STATEN ISLAND	(718) 390-5190/94	Thomas Albanio

- C. If the filer wishes to file an amendment for the second cycle at the same time he or she files for Cycle 3, a separate set of forms must be submitted (one set for Cycle 3 and one set for the amendment to Cycle 2), although only one set of reports is required.

II. Report Processing:

- A. Both the facade report and the TR6 form must be filed at the borough office in triplicate. (The TR6 form has replaced B form 29A which was used for Cycle 2 filings).
- B. The borough coordinator or designee shall verify that both the report and form are signed, sealed and dated by the licensed **engineer or registered architect, that microfilm is submitted and that the pre-printed data has not been altered.**
- C. The borough coordinator or designee receiving the application must clarify with the filer, the cycle (Cycle 2 or Cycle 3) for which the report is being filed. **The cycle number shall be written in the space marked "internal use" at the top right corner of the TR6 form.**
- D. A time stamp will be utilized to indicate the date and time that the report is received and the recipient shall enter the submission into a logbook. The logbook shall list each property by address and block and lot (with a/k/a's when applicable) and shall indicate whether the report is for on-going maintenance or is for a safe, precautionary or an unsafe condition. Additionally, a column for a plan examiner's initials (see Item III) shall be included in the log.
- E. One copy of all reports and forms are to be kept at the borough office, one will be forwarded to Quality Control (who will check it for accuracy and forward to MIS for input) and one will be returned to the applicant once it has been processed. An additional copy of all unsafe reports are to be sent to Lynette Mitchell at the Local Law Enforcement Unit at 60 Hudson Street.
- F. The borough coordinator shall batch and send all 10/80 reports, with a transmittal sheet, to Quality Control at 60 Hudson Street on the first Monday of each month. Additionally, all 10/80 reports classified as "unsafe" are to be sent to Quality Control and Lynette Mitchell at the end of each week.

III. Precautionary Reports:

- A. Each borough shall designate one or more plan examiners who will be responsible for examining, on a monthly basis, 10% of all LL 10/80 "precautionary reports."
- B. The examiner will review the previous month's log and examine every 10th precautionary entry.

- C. The examiner shall determine that the report complies with the requirements of the revised LL 10/80 Rules and Regulations. The revised Rules and Regulations are attached. If the examiner determines that the report does not comply with LL 10/80 requirements, he shall alert the borough coordinator who will contact Lynette Mitchell of the LL 10/80 Enforcement Unit at 60 Hudson Street. The Enforcement Unit will notify the applicant that the report filed is unacceptable and must be re-submitted as "unsafe."
- D. The plan examiner shall initial the borough coordinator's log to indicate acceptance of all precautionary reports. If the examiner finds the report to be unacceptable he will make note in the borough coordinator's log and the borough coordinator will contact the Local Law 10/80 Unit so that they may notify all concerned parties.

IV. Violations and Summonses:

- A. Violations for unsafe conditions and for failure to file a report will be issued through MIS.
- B. Unsafe violations may result in summonses that will be initiated and monitored by LL 10/80 Enforcement Division.
- C. Violation notices will be distributed as follows: One copy to the owner/premises, one to Lynette Mitchell (LL 10/80 Coordinator at 60 Hudson Street) and one to the appropriate borough coordinator. All court cases and dispositions shall be monitored at the LL 10/80 Enforcement Division.

V. Amended Filings:

- A. When applicants file amended reports to change the status of a building from unsafe to safe or precautionary, he or she must file at the borough office.
- B. LL 10/80 Unit will forward the folder to Pat Iacobazzo (Asst. to Deputy Commissioner for Technical Affairs) who will review the report to determine compliance. If the report complies, Pat Iacobazzo will notify LL 10/80 to distribute notice of dismissal.
- C. LL 10/80 will send notices of dismissal to the owner and architect or engineer.
- D. LL 10/80 will also immediately notify Quality Control of the dismissal and Quality Control will forward the information to MIS who will remove the violation from the system.

Assignment to Plan Examiner

Only "filed" applications are assigned to the plan examiners for first review. An application has been "filed" upon completion of "D.E.A.R. Processing", fee payment and submission of all necessary documents. It is listed as status "D" at this time and appears on the BIS screen listing all applications which need to be assigned to a plan examiner. (H-P/E Assignment, 3-Assign work to P/E).

On a daily basis, D.E.A.R. forwards the application folders to the Plan Examination section where a designated individual assigns the folders to specific plan examiners. This designated individual then assigns the work and causes the folders to be distributed.

First Review

Applications that have been filed and are awaiting first review are not to be made accessible to the applicant.

The name of the examiner performing the first review should not be available to the applicant before the first review has been completed.

First review of the applications assigned to each plan examiner are performed in chronological order based on the date the application was filed. All applications from "day 1" are reviewed before any applications from "day 2" are reviewed. The plan examiner reviews his or her "Backlog of Assigned Work" on a daily basis to assure that the first reviews are performed in chronological order. (H-P/E Assignment, 1- Backlog of Assigned Work).

After first review, the plan examiner sends the applicant:

- 1) "Index" printout from D.E.A.R.
- 2) "Application Overview" printout
- 3) "Items required by Plan Examiner" printout
- 4) Free form (handwritten) objections from plan examiner
- 5) An appointment notice with the date and time of the next scheduled appointment in boroughs (where applicable).

Expedites

Applications may only be expedited under the following circumstances:

- 1) An "Affordable Housing" letter is submitted
- 2) A "Homeless Housing" letter is submitted
- 3) An expedite request is submitted, which has been approved in writing by a Deputy Borough Superintendent or higher level Department of Buildings staff.

When an "expedite" application is filed, the plan examiner completes the first review in a timely fashion, which may require deviation from the above "first review" guidelines.

PF:HG:mh