

Know Your Rights!

This Know Your Rights document outlines your rights as an owner or renter when dealing with developers. Use these facts when communicating with 311 operators, DOB officials and misinformed developers.

A new building is going in next door or in your neighborhood? Know Your Rights!

3-1-1

Calling 3-1-1 is the most expedient way to register a complaint with our city government about quality of life issues. If you observe careless demolition or construction, call 3-1-1 immediately (day or night, weekday or weekend). When you are connected to an operator, tell him or her that you want to file a complaint with the Department of Buildings. (Depending on the complaint, you may be transferred to the Department of Environmental Protection.) Describe what you have observed and be as clear and concise as possible, for example, “work is being done after hours without a special permit,” “there are unsafe worksite conditions”(e.g., protective shed fallen over, debris on sidewalk). You don’t have to give your name (unless you want to). Write down the complaint number. This is very important in keeping track of violations!

A list of common complaints (though not all types of violations):

- Construction work of any kind without posted permits. This includes demolition, excavation and construction.
- Damage to adjacent property (cracks, damage due to falling debris, etc.).
- Falling debris (any type of debris that may fall onto the street or into adjoining properties) creating a hazardous condition.
- Work after hours/on weekends without variance permit. Normal permitted work hours are 7am–6pm, Monday–Friday). After-hours work/weekend work must have a posted variance permit. A variance permit allows work on Saturday (not Sunday) from 10am–4pm.
- Working against a Stop Work Order (SWO). If DOB has shut down a job site and posted a SWO, work is not permitted outside of “site maintenance” or deliveries.
- Work contrary to plans (if you know it’s approved to be a four-story building and they are building higher, call in a complaint).

Community Board 7

If you feel your situation is of larger concern, alert our Community Board, who will register your complaint with 3-1-1 and, if warranted, higher government officials. Call 718-854-0003 and speak with District Manager Jeremy Laufer. Email: communityboard7@yahoo.com

NYC government offices:

www.nyc.gov This portal site links to all city agencies. Specific links include:

>**Department of Buildings:** <http://www.nyc.gov/html/dob>

An extremely helpful tool is the DOB's Building Information System, through which any property can be researched for permits and violations issued, contractor/architect info, etc.: <http://www.nyc.gov/html/dob/html/bis/bis.shtml>

>**Department of Environmental Protection:** <http://www.nyc.gov/html/dep/>

B.E.S.T. Squad (Building Enforcement Safety Team): 718-802-3713 or 212-669-7043

Brooklyn Department of Buildings

210 Joralemon St., 8th Fl.

Brooklyn, NY 11201

Borough Commissioner: (718) 802-3677/3676

Borough Manager: (718) 802-3635

Occupational Safety & Health Administration (OSHA): www.osha.gov

Know the Law:

Demolition/Construction:

1. No demolition of a building or structure can commence until a permit has been obtained from the Department Of Buildings.
2. Before a contractor can be approved for a demolition permit, he/she must (among other things):
 - >Verify that five days prior notification was given to the adjoining property owners. (If you have not been notified and demolition commences on a property adjoining yours, call 3-1-1 and the Community Board!)
 - >Verify that notification was given to the community board.
 - >Verify that gas, electric, sewer and water have been cut off.
3. Prior to commencement of demolition, the contractor must enclose premises, erect a sidewalk shed if required and remove all glass. For all buildings 15 feet in height or higher, a sign stating the contractor's name, address and phone number must be posted.
4. Allowable work hours are from 7am to 6pm, Monday through Friday. Work performed after 6pm at night or on weekends (Saturday only) requires a special (for that day only) permit and must be posted on the worksite. If work is being done outside of allowable work hours and there is no permit posted, call 311!

5. Parking demolition/construction equipment (excavator, bulldozer, building material, etc.) on street requires a special permit from the Dept. of Transportation.

Things to do if a property adjoining yours is going to be developed:

1. Photograph your house and property before demolition and construction begins to document that there are no pre-existing cracks, structural damage, etc. Include photos of property lines, foundation, cellar, structural walls, roof, stairs, fences, backyard, garden, etc.—anywhere there is potential of damage from demo and building equipment.

2. Contact your insurance company. Contacting your insurance company before work begins may be your best line of defense if claims, action or litigation become necessary.

3. Don't sign any documents given to you from a developer or contractor without first contacting your lawyer or one of the attorneys working with our community group. Be on the lookout for affidavits of Objection of Consent concerning Board of Standards and Appeals applications, as well as items such as selling "air rights," allowing construction fences on your property, use of your electric and water, etc.

4. Have a survey of your property done. While you may have received a survey map when you purchased your home, you may need a more detailed and up-to-date survey. This will cost a few hundred dollars, but it may be worth its weight in gold should a property line dispute erupt (i.e. the developer wants to build right up to your house and you believe you own several inches or feet on that side).

5. Talk to your neighbors. They may have information you don't about the property. Try to separate facts from "the rumor mill." We're all in this together; pooling resources is the best way to stay informed and protect our neighborhood.

Updated March 1, 2007

By Concerned Citizens of Greenwood Hts./South Park Slope Community Group