



FORM 3 (AGENCY REPORT) (Due on or before July 31, 2022)

Agency:	NYC Department of Buildings		
Agency Privacy Officer:	Juliet Neisser		
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Date of Report:	July 31, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input checked="" type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<u>Government Program Information</u> <input checked="" type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input checked="" type="checkbox"/> Any scheduled court appearances <input checked="" type="checkbox"/> Eligibility for or receipt of public assistance or City services <input checked="" type="checkbox"/> Income tax information <input checked="" type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input checked="" type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input checked="" type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input checked="" type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input checked="" type="checkbox"/> Gender identity <input checked="" type="checkbox"/> Languages spoken <input checked="" type="checkbox"/> Marital or partnership status <input checked="" type="checkbox"/> Nationality <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Religion <input checked="" type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input checked="" type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input checked="" type="checkbox"/> Internet protocol (IP) address* <input checked="" type="checkbox"/> Social media account information
<u>Other Types of Identifying Information</u> (list below): <input checked="" type="checkbox"/> Professional license number <input checked="" type="checkbox"/> Licensee seal with signature <input checked="" type="checkbox"/> Place of Birth <input checked="" type="checkbox"/> Disability or genetic characteristic(s) <input checked="" type="checkbox"/> Date of death <input checked="" type="checkbox"/> Gender <input checked="" type="checkbox"/> Eye Color <input checked="" type="checkbox"/> Height <input checked="" type="checkbox"/> Training Connect ID Number	

Identifying Information Law

SENSITIVE | NOT FOR PUBLIC DISTRIBUTION

Contact information, medical information and demographic information about students, faculty and staff at schools and learning programs, related to COVID-19 Test and Trace and school and program closures

*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

Collection and retention of the identifying information specified above furthers the purposes and mission of the Department of Buildings (“Department” or “DOB”) by enabling DOB to perform the work associated with its various duties set out in the City Charter, the Administrative Code, and other relevant laws and rules. (See, for example, N.Y.C. Charter Chapter 26; N.Y.C. Administrative Code Title 28; N.Y.C. Zoning Resolution.)

The Department promotes the safety of all people that build, work and live in New York City by regulating the lawful use and occupancy of over one million buildings and construction sites across the five boroughs. The Department’s purposes and mission include regulation of construction, alteration, maintenance, use, occupancy, safety, mechanical equipment, inspection of buildings and structures, zoning review, and review of sustainability compliance. They also include, among other things, regulation of outdoor signage and the licensing of various building-related trades. In this connection, DOB’s work includes, for example, approval of construction and demolition plans; regulation, inspection and testing of buildings, structures, service equipment, and cranes; signs; gas and electricity; designation of buildings as unsafe; issuance of licenses pertaining to various building trades; and enforcement in connection with all such matters. DOB collects and retains the above-described identifying information in connection with such purposes and mission. For example, DOB collects identifying information to be able to identify and contact individuals associated with DOB-related construction, licensing and enforcement matters.

The Department’s purposes and mission also include, for example, the procedural running of the agency as such, as well as compliance with laws generally applicable to all agencies. For example, DOB needs to collect and retain identifying information in connection with human resources requirements, contracting, conflict of interest law requirements, equal employment opportunity law requirements, legal matters such as lawsuits, internal and external audits, and DOB-related analytics and data science. The Department collects and retains identifying information in connection with these purposes and mission.

Additionally, DOB sometimes collects and retains and discloses identifying information from and to other government entities to the extent it furthers DOB’s purposes and mission, or, as applicable, the purposes and mission of the other government entity or of the City. (See N.Y.C. Charter §386, heads of mayoral agencies shall coordinate the activities of their agencies with those of other agencies on matters within their jurisdiction by such means as the mayor may require or as the agency head may deem appropriate.)

Regarding retention of identifying information, DOB has the power and duty to, in areas under DOB’s jurisdiction, develop, implement, and maintain systems to collect, store, and disseminate data. (See N.Y.C. Charter §386(a).) In this connection, DOB retains the identifying information it collects as required by its Records Retention Schedule and as required by circumstances such as specific litigation.

Thus, identifying information collected and retained by DOB constitutes an integral and enabling resource for the performance of DOB’s purposes and mission.

N.Y.C. Admin. Code §23-1205(a)(1)(f)

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Describe the Collection or Disclosure	Classification Type
<p>Upon the implementation date, 6/15/18, of Local Laws 247/17 and 245/17, (together, the “Identifying Information Law”) the Agency Privacy Officer (APO) designated as routine the collections, disclosures and retention (hereinafter, “CDR”) of Identifying Information (hereafter, “PII”) made during the normal course of Department business that further the Department’s mission and purpose, including pre-approving CDR as routine if such CDR is a regular part of a DOB employee(s)/unit(s)’ regular job duties, because job duties are designed to further the purposes and mission of DOB.</p> <p>The examples of CDR approved as routine per the above designation include CDR for purposes of performing functions and duties associated with the various areas of the Department, among which functions and duties are included, for example:</p> <ul style="list-style-type: none"> (i) Enforcement, including, but not limited to, the following: conducting inspections & audits; all initiatives for verifying or enforcing compliance with code, rules, regulations and laws within the Department’s jurisdiction; investigative engineering services; office of the tenant advocate; engineering & safety operations; coordination of inter-agency enforcement initiatives; and, all ancillary functions; (ii) Development & Technical Affairs, including, but not limited to, the following: construction plan examination; review of job applications and other materials submitted to the Department; issuance of permits; code-related inspections; technical matters; code and rule development; evaluation of alternative materials and the managing of approvals and technical certifications of certain entities performing inspections, tests and product certifications; and, all ancillary functions; (iii) Finance & Administration, including, but not limited to, the following: asset management; budget and fiscal operations; human capital administration; employee professional development; procurement and contracting; and, all ancillary functions; (iv) Strategic Policy and Industry Relations, including, but not limited to, being the principal point of contact with the real estate and construction industry; (v) Legal & Regulatory Affairs, including, but not limited to, the following: operations compliance; matters within the purview of the General Counsel’s Office; administrative policy; enforcement of code, rules, regulations, and laws within the Department’s jurisdiction; code and rule development; licensing matters; oversight & administration of regulated buildings; investigations of misconduct within the Department’s jurisdiction; and, all ancillary functions; (vi) External Affairs, including, but not limited to, the following: liaising with local, state, and federal agencies, community boards, elected officials, and other stakeholders; representing the Department at legislative hearings, interagency discussions, community board meetings, and other events; drafting and distributing materials related to legislation; advising Department staff; assisting stakeholders with navigating Department business, processes, and functions; initiatives to address and resolve all community, intergovernmental, and legislative affairs within the purview of the Department; and, all ancillary functions; (vii) Office of Sustainability, including, but not limited to, implementing sustainability-related Local Laws including but not limited to laws promulgated pursuant to the 2009 Greener, Greater Buildings Plan and the later One City Built to Last plan, such as, for example, the Energy Audits & Retro-commissioning law (I I 87/09); (viii) Internal Audits, including, but not limited to, conducting risk-based internal audits to assess internal controls and compliance, and liaising with external auditing bodies such as the City and State Comptroller’s Offices. 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

<ul style="list-style-type: none"> (ix) Communications, including, but not limited to, the following: marketing & special events; press office operations; multimedia & photography; publications; and, all ancillary functions; (x) EEO Office, including but not limited to, the following: review and evaluation of Reasonable Accommodation requests; conducting employee trainings; investigations related to complaints and allegations of discrimination and non-compliance with applicable law & policy; issuance of recommended Department actions; initiating applicable courses of action; complaint in-take; conducting interviews, and, all ancillary functions; (xi) Operations, including but not limited to, Borough Operations, Business Support Services, Information Technology, Business Process Implementation, and Customer Service; (xii) Analytics & Data Science, including but not limited to, systematic computational analysis of data and statistics. 	
<p>Collection by the DOB Intergovernmental Affairs Unit of contact information of those who contact that office.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Transfer as of 2019 and ongoing to DOF of data relevant to property valuation, in connection with the NYC Department of Finance (“DOF”) project “Property Valuation and Mapping External Data Requests from DOB, HPD, DEP, DOITT, NYC Parks, DCP, DOT, DCAS and NYCHA.”</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Transfer to DOF as of 2019 and ongoing of data relevant to imposition of liens for unpaid building code violations, pursuant to the DOF project “City Revenue Collection: DOB Liens Project Imposition of License for Unpaid Building Code Violations.”</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Collection by the DOB Office of Tenant Advocacy of contact information of those who contact that office.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Collection by the School Construction Authority (“SCA”) from DOB on quarterly basis of list of DOB registered construction contractors with the associated contact information, e.g. email addresses, to enable SCA to add contractor information not provided in SCA’s subcontractor approval form records.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<p>Disclosure to NYC Comptroller’s Office at its request of identifying information regarding a DOB inspector in order to defend against a notice of claim filed with the Comptroller alleging the inspector was involved with a car accident in the course of his duties; this information was provided to establish a defense against the claim.</p>	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>Disclosure of DOB permittees/applicant’s contact information to raise public awareness of the Fines and Interest Reducing Enabling Recovery (FAIRER) Program, a three month amnesty program authorized by the Mayor and City Council and administered by the Department of Finance to resolve outstanding judgements issued by various city agencies.</p>	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
<p>Disclosure to Mayor’s Office of Operations of contact information of customers who interacted with DOB via the service center or inspection for the purpose of their Business Owner Survey process, to ensure that everyone who interacts with the agency receives an appropriate and equitable level of service and to help the agency identify best practices and identify service centers or inspection processes requiring attention.</p>	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis

Identifying Information Law

	case-by-case basis
Disclosure to NYC Test and Trace and DOHMH of employee contact information to assist in reaching City employees who may have been in close contact with a COVID-19+ individual, in order to notify the individual of potential COVID-19 exposure and provide appropriate guidance.	<input checked="" type="checkbox"/> Pre-approved as routine <input checked="" type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Disclosure of contact information of DOB permittees and licensees to Department of Finance to assist in collecting debt from such permittees and licensees that are named respondents in OATH proceedings and owe OATH judgement debt as a result	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure of contact information, medical information, and demographic information about students faculty and staff at schools and learning programs to and from the Department of Health and Mental Hygiene, the Department of Education, the Department of Youth and Community Development and the Health and Hospitals Corporation through its Test and Trace Corps, related to the need for a decision on the appropriate action with respect to school and program closures and to communicate with affected members of the public.	<input type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input checked="" type="checkbox"/> Approved by APO on a case-by-case basis
Collection of policyholder and claim information to assist in floodplain management and to conduct research and analysis to assist in hazard mitigation.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Collection and disclosure via a database in order to implement Local Law 196 of 2017 in to track and maintain site safety training cards ("SST cards") and related data. This database allows course providers to log safety credentials into a system that can then be accessed by employers who hire credentialed workers in order to comply with the law. The system also allows DOB to track which trainers and course providers are responsible for each credential so that credentials can be revoked when a trainer or course provider's approval is revoked, enabling notification to SST card holders. They further the mission of the agency, because DOB is responsible for issuance of SST cards.	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
N.Y.C. Admin. Code §23-1205(a)(1)(b)	

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Describe Type of Collection or Disclosure

Data provided to NYC Department of Finance from DOB for purpose of enabling enforcement of NYC business income tax laws; information pertaining to licensees included, inter alia, Social Security numbers, contact information and license number-related information.

N.Y.C. Admin. Code §23-1202(b)(2)(b); 23-1205(a)(1)(b)

5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

The Department's current policies regarding requests for disclosures from other and to other entities include, but are not limited to, the following:

1. The Department's *Privacy Policy Statement* provides instructions to DOB employees regarding how to

handle identifying information.

2. The Department adheres to all requirements of the Identifying Information Law (Local Laws 247/17 and 245/17) and with the NYC Chief Privacy Officer's (CPO's) instructions and all Privacy Laws including the 2017 Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies and the 2/24/21 instructions in the *Citywide Privacy Protection Policies and Protocols*. Additionally, a portion of the Department's Employee Handbook addresses the handling by employees of confidential information.
3. If a DOB employee receives a request for disclosures that are not within the scope of regular job duties, but is within the scope of a different DOB employee(s)/unit(s)' job duties, then the request should be forwarded to that employee/unit for handling or should be handled as instructed by a supervisor.
4. If a DOB employee receives a request for disclosure involving identifying information that is not within the scope of any employee(s)/unit(s)' regular job duties, the Department's APO should be consulted before any action is taken.
5. The Department's APO has pre-approved as "routine" exchanges between DOB and other government entities that include disclosure of identifying information that were in effect as of the implementation date, 6/15/18, of the Identifying Information Law;
6. As of 6/15/18, the effective date of the Identifying Information Law, the Department's APO has designated as "non-routine," until approved as "routine" by DOB's APO, non-current exchanges of identifying information between DOB and other government entities.
7. Generally, all communication with the media goes through the office of Communications; if a member of the press or media contacts a DOB employee, such employee should inform the Communications office.
8. Generally, all communication with elected officials goes through the office of External Affairs, or other DOB staff members designated to work on specific matters that require such communication; if an elected official or member of his or her office contacts a DOB employee not so designated, such employee should inform the External Affairs office.
9. If someone requests information on any matter, including information regarding a DOB employee, under the Freedom of Information Law (FOIL) or in connection with a subpoena, the request should be referred to the Department's Office of the General Counsel.
10. When a DOB employee should immediately make a non-routine disclosure involving identifying information due to the existence of exigent circumstances and there is no time to contact the Department's APO in advance about how to proceed, then such employees should: (1) ask a supervisor how to handle the matter; (2) handle the matter as indicated by the supervisor; and (3) immediately send the APO all available information about the matter, including details of the exigent circumstances.
11. With regard to procurement, vendors are informed about confidentiality and PII requirements within the context of the contract text in question, where applicable.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.	The above DOB policies have been implemented in a manner that minimizes access to identifying information to the extent possible while still enabling the performance of such DOB job/unit duties and functions in furtherance of DOB's purposes and mission.
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N.Y.C. Admin. Code §§23-1205(a)(1)(c)(1), and (4)

9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

possible.

Proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations and third parties, when received by DOB employees, should be referred to DOB's APO for review; the APO will then approve such proposal if appropriate.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(2)

10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.

Under the Department's current policy, disclosures of identifying information that are not-routine but are made where the existence of exigent circumstances precludes obtaining prior APO (or designee) approval are classified as "non-routine." In rare cases where a DOB employee should immediately make a non-routine disclosure involving identifying information due to the existence of exigent circumstances and there is no time to contact the Department's APO in advance about how to proceed, then such employees should: (1) ask a supervisor how to handle the matter; (2) handle the matter as indicated by the supervisor; and (3) immediately send the APO all available information about the matter, including details of the exigent circumstances.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(3)

11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

The Department's current policies regarding which divisions and categories of employees within the agency make disclosures of identifying information following approval of the APO include, but are not limited to, the following:

- If work involves disclosure of identifying information not within the scope of any employees'/units' regular job duties, or a type of disclosure of identifying information that requires the approval of the APO, DOB supervisors should consult DOB's APO before taking any action. In such cases, the APO may issue instructions regarding which specific units or categories of employees may make the disclosure(s) at issue.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

In 2021, The Department of Buildings considered and implemented new policies regarding what data is visible in DOB's publicly accessible databases, including BIS and DOB NOW.

N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency's use of agreements for any use or disclosure of identifying information.

Regarding written agreements with other government entities that involve collection, retention or disclosure of identifying information, the Department determines on a case-by-case basis if a written Memorandum of Understanding or other agreement will be used in that connection. Regarding procurement contracts that involve collection, retention or disclosure of identifying information (the Department does not have human services contracts), they are reviewed on a case-by-case basis. If required, the Department will include the standard Identifying Information Law Rider language in applicable contracts, as instructed by the CPO's guidance.

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N.Y.C. Admin. Code §23-1205(a)(1)(d)

14. Using the table below, describe the types of entities requesting the disclosure of identifying information or proposals for disclosures of identifying information. For each entity, describe (1) why the agency discloses identifying information to the entity, and (2) why any disclosures further the purpose or mission of the agency.

Type of Entity	Description of Reason for Disclosure	Description of how disclosure furthers the agency's purpose or mission
<p>Municipal, state, or federal government</p>	<ul style="list-style-type: none"> • Communications – in connection with providing such government entities with accurate information and official statements pertaining to matters within the Department's regulatory jurisdiction. • Development & Technical Affairs – in connection with, for example, coordinating regulatory efforts concerning construction projects, construction applications, energy code, and other development and technical matters within the Department's regulatory jurisdiction. • Legal & Regulatory Affairs – in connection with, for example, performing investigations, liaising on legal, regulatory, and legislative matters, responding to document requests, and prosecuting cases within the Department's jurisdiction. • Finance & Administration – in connection with, for example, human resource and contract and finance administration, such as transferring of employee personnel files when employees transfer between city agencies, uploading information regarding procurement matters to the VENDEX system, and in connection with the management of Department property and assets. • External Affairs – in connection with DOB's regulatory jurisdiction, acting as a liaison regarding governmental, community, and legislative matters within the purview of the Department. • Strategic Policy and Industry Relations – in connection with, for example, coordinating and improving multi-agency initiatives, to assist in the requesting entity's mandate as appropriate, and to distribute operational and performance-based reports and dashboards concerning the Department and its functions. • Enforcement – in connection with, for example, investigations and enforcement, including coordinating multi-agency enforcement initiatives and activities within the Department's regulatory jurisdiction. • Office of Sustainability – in connection with, for example, implementation of sustainability-related Local Laws including 	<p>Such disclosure to relevant government entities facilitates the coordination of activities on matters within the Department's regulatory jurisdiction.</p> <p>In some instances, the Department is required to disclose identifying information to other government entities. For example, the Department must provide written notice to the New York State Department of Education of Registered Design Professionals who have received an adverse determination or sanction by the Department. (See section 28-104.2.1.6 of the N.Y.C. Administrative Code). In general, exchanging information within circumscribed contexts can further the missions of the relevant agencies and assist the Department in regulating the lawful use of buildings, structures, and construction sites across the City's five boroughs.</p>

	<p>but not limited to laws promulgated pursuant to the 2009 Greener, Greater Buildings Plan and the later One City Built to Last plan, such as, for example, the Energy Audits & Retro-commissioning law (LL 87/09).</p> <ul style="list-style-type: none"> • Internal Audits – In connection with, for example, auditing of Department functions, for example, auditing by the City and State Comptroller’s Offices. • EEO Office – in connection with, for example, audits of EEO matters and policy by oversight entities. • Operations – in connection with for example, matters pertaining to, Borough Operations, Business Support Services, Information Technology, Business Process Implementation, and Customer Service. • Analytics & Data Science – in connection with, for example, systematic computational analysis of data and statistics. 	
<p>The Department discloses certain types of identifying information to the public, including to the public that files construction applications with DOB, such as registered design professionals, and other persons who do business with DOB, in various circumscribed contexts, each of which is intended to fulfill and further its purposes and mission. For instance, the Department discloses information via the NYC Open Data portal to members of the public. (See N.Y.C. Administrative Code Title 23, Chapter 5). The Department also makes disclosures of identifying information to members of the public who submit FOIL requests to DOB. (See Article 6 of the New York State Public Officers Law).</p>	<ul style="list-style-type: none"> • External Affairs – in connection with responding to public inquiries relating to governmental, community, and legislative matters and to liaise on matters pertaining to the public and external stakeholders. • Communications – in connection with responding to public inquiries with accurate public information regarding matters within the Department’s regulatory jurisdiction. • Strategic Policy and Industry Relations – in connection with distributing publicly-available information concerning the Department’s regulatory initiatives to facilitate research on matters pertinent to the Department’s mission and purpose. • Legal & Regulatory Affairs – in connection with, for example, complying with New York state law pursuant to Freedom of Information Law (FOIL) requests, subpoena requests, and BSA and litigation in connection with inquiries regarding such matters and other matters within Legal and Regulatory Affairs, such as licensing matters. • Enforcement – in connection with, for example, responding to inquiries and complaints regarding enforcement matters. • Development and Technical Affairs – in connection with, for example, responding to inquiries regarding matters within the purview of Development and Technical Affairs. • Office of Sustainability – in connection with, for example, responding to inquiries regarding matters within the purview of Development and Technical Affairs. • Analytics & Data Science – in connection with, for example, 	<p>Members of the public</p>

	<p>inquiries regarding data analysis available from the Department.</p>	
<p>Elected officials</p>	<p>External Affairs – in connection with acting as a liaison to address and facilitate the resolution of governmental, community, and legislative matters within the regulatory jurisdiction of the Department.</p>	<p>Such disclosures further the mission and purposes of the Department insofar as they inform the elected officials on matters within the Department’s jurisdiction and assist them in serving the interests of their constituents and the public. Just for example, information might be required regarding a construction application status, with associated publicly available information regarding name and address in connection with such an application.</p> <p>The Department’s External Affairs unit makes disclosures of publicly available identifying information concerning matters within DOB’s jurisdiction to various civic and industry stakeholders. Liasing with such stakeholders is within the scope of the unit’s duties and functions and furthers DOB’s commitment to provide efficient service to all New Yorkers and to operate as a responsive and accountable city agency. For example, in connection with rulemaking and the drafting of legislation, such disclosures may be a way for DOB to obtain and take into account the views of parties that will be affected by the rules and laws in question.</p> <p>The Communications unit’s disclosure of public information concerning DOB, its operations and employees to members of the press promotes an awareness of DOB’s purposes and mission, namely, to ensure the safe and lawful use of buildings and properties through the enforcement of the NYC Construction Codes, Zoning Resolution, rules, regulations, and other applicable laws. Through its disclosures to members of the press, the Communications unit provides accurate, timely and consistent information.</p> <p>The Department makes disclosures of identifying information as may be required by law or necessitated by the procurement process to vendors who have contracted with DOB to provide goods or services that further its mission and purposes. (These are not human-services contracts.) As such, DOB’s limited disclosures of certain necessary types of identifying information are intended to enable and facilitate these vendors’ ability to complete their work and fulfill their contractual obligations to DOB. This in turn furthers DOB’s mission and purposes.</p>
<p>Civic & industry stakeholders</p>	<p>External Affairs; Strategic Policy and Industry Relations; Development and Technical Affairs; Office of Sustainability; Operations; Communications – in connection, with, for example, resolution of matters brought to the attention of DOB by civic and industry stakeholders in connection with various aspects of DOB work.</p>	
<p>Members of the press</p>	<p>Communications Division – in connection with providing the press with accurate information and official statements regarding the Department, its operations, and matters within the Department’s regulatory jurisdiction.</p>	
<p>Department vendors (via procurement process)</p>	<ul style="list-style-type: none"> • Finance & Administration – in connection with enabling the work of DOB’s Agency Chief Contracting Office. • The Legal & Regulatory Affairs – in connection with legal review of procurement issues in connection with DOB’s Agency Chief Contracting Office and in connection with administration of licensing examinations. • Enforcement – in connection with enabling Department-contracted for licensed elevator inspectors to, in accordance with contract terms, conduct elevator inspections pursuant to applicable code, rules, regulations, and other laws. 	



15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

The Identifying Information Law resulted in DOB designating the APO, providing its employees with additional guidance on how to handle identifying information, evaluating the relationship between the requirements of the Open Data Law and the Identifying Information Law, and evaluation by the APO on an ongoing basis of new types of collections, retentions and disclosures of data.

N.Y.C. Admin. Code §23-1205(a)(2)

16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

The forms issued by the CPO and the definitions provided by the CPO were utilized by DOB to comply with the requirements of the Identifying Information Law and to provide guidance to its employees. The Department has been and continues to be diligent in protecting identifying information and all confidential materials in accordance with law.

N.Y.C. Admin. Code §23-1205(a)(3)


APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:

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ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW

Agency Head (or designee):

Name:	Eric A. Ulrich		
Title:	Commissioner		
Email:	Eric.ulrich@buildings.nyc.gov	Phone:	(212) 393-2001
Electronic Signature:		Date:	7/26/22

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