



Rick Chandler, P.E., Commissioner
280 Broadway, New York, NY 10007
Alexander Schnell (212) 393-2126

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COMMISSIONER CHANDLER RELEASES THE FIRST CODE OF CONDUCT FOR THE CONSTRUCTION INDUSTRY

Outlines Ethical Standards for Stakeholders Conducting Business with the Department

*Clarifies Discipline Action Against Industry Members who
Violate Department Standards*

Informs Customers of Their Rights as Part of the Department's Commitment to Quality Service

In a first-of-its-kind reform for the Department of Buildings, Commissioner Rick Chandler released today an Industry Code of Conduct – a priority outlined in Building One City, the Department's transformation blueprint released in May 2015. The Industry Code of Conduct clarifies the standards of integrity and professionalism for those who work in the construction industry. In 2014, the Department issued more than 140,000 work permits to thousands of construction industry professionals representing construction projects throughout the City. These individuals are responsible for carrying out the work that builds our homes, businesses and supports our growing economy, in a safe and lawful manner.

"One of our crucial strategies to transform the Department is to enhance transparency, and we are doing that by unequivocally stating the ethical standards and expectations of the thousands of construction industry members and professionals who interact with our employees and build in this City," said **Buildings Commissioner Rick Chandler**. "For the first time in the Department's history, we are releasing an Industry Code of Conduct that makes clear appropriate professional conduct, explains the privileges of holding a license and the consequences for abusing that responsibility, and outlines the rights our customers have when conducting business with our staff. Professional and ethical business dealings is the foundation of productive service – and enables our Department to keep our City building as quickly and safely as possible."

"I applaud the Department of Buildings new Industry Code of Conduct which will help hold industry professionals to the same high standards we hold the Department to. New Yorkers deserve the highest level of service and transparency from the Department and its partners, and I thank Commissioner Chandler for this effort. I look forward to continuing to work toward that shared goal," said **Council Member Jumaane D. Williams (D-Brooklyn), Deputy Leader and Chair of the Council's Housing and Buildings Committee**.

The Industry Code of Conduct provides guidance on four subject areas every construction professional should be familiarized with when conducting business with the Department. These include an understanding and adherence to the Department's ethical code and licensing standards, as well as an awareness of the disciplinary actions they may face if they violate standards set forth by the Department. Finally, customers are provided with a Bill of Rights so

they are aware of the level of service they can expect to receive when working with the Department.

Ethical Code and Principals

Integrity and transparency are among the highest values the Department holds, which is why fundamental reforms are being implemented throughout the agency. A zero-tolerance policy for misconduct exists for staff, and the same is also expected of construction industry professionals that conduct business with the Department. This professionalism is required whether doing business in a borough office, online or at a job site. Construction industry professionals are expected to:

- Behave lawfully and professionally in all their dealings with the Department, including providing accurate information related to the project, treating staff courteously and reporting any unethical or criminal misconduct.
- Prepare for and arrive on time to inspections and plan examinations, and provide appropriate notice if a meeting cancellation is needed.
- Refrain from acts or appearances of impropriety, including providing gifts of any value to Department employees.

Licensing Standards

The Department licenses and registers eligible professionals to perform various types of construction work. In doing so, these professionals are expected to carry out their work in a manner that protects the public and is in compliance with the City's Construction Codes and Zoning Resolution. Professionals that violate standards set forth by the Department may be subject to discipline proceedings. Actions that can violate these standards include at a minimum:

- Fraud or deceit in obtaining or renewing a license.
- Falsifying statements on filings, or providing other misinformation to the Department.
- Negligence or incompetence in performing one's work.
- Criminal convictions or a failure to comply with Department or law enforcement orders.

Discipline for Abuse of Privileges

Construction professionals, whether licensed by the Department, State or other qualified entity that conduct business with the Department, are expected to conduct themselves ethically and uphold the legal requirements pertaining to construction in New York City. When a professional fails to follow these requirements, the Department may take disciplinary action which can include:

- The issuance of violations to the individual, and any of their employees if necessary.

- The suspension of licensee privileges.
- Revocation of a license or loss of privilege to conduct business with the Department.
- Referral of violations to law enforcement for criminal prosecution.

Customer Bill of Rights

The Department of Buildings seeks to provide exceptional customer service. As part of the fundamental reform taking place at the Department, it is imperative that employees provide the highest level of service to foster the quickest and safest development possible that keeps New York City growing. When dealing with construction professionals, Department employees are obligated to provide them with:

- Professional and knowledgeable service delivered in a courteous manner.
- Guidance on how Department processes operate.
- Information on how long inspections will take, and reasonable wait times for scheduling re-inspections.
- Direction on violation resolution and any pertinent appeals process.

The Department is issuing the Industry Code of Conduct to stakeholders, including all licensed professionals that conduct business with the Department. An acknowledgment of receipt requirement will be enforced for each licensee that receives the Industry Code of Conduct.

“The new Industry Code of Conduct is a sensible way to ensure a standard of professionalism from anyone seeking services from the Department. We applaud Commissioner Chandler for keeping the hard-working men and women who help build New York safe, which will ultimately lead to greater economic activity, jobs, and tax revenue to fund vital government services and resources.” said **John Banks, President of the Real Estate Board of New York**.

“The New York Building Congress is pleased to endorse the Department of Buildings’ new Industry Code of Conduct, which recognizes that safe, efficient and top-quality construction is a two-way street and a shared responsibility by both the public and private sectors,” said **Richard T. Anderson, President of New York Building Congress**. “We applaud the Department for holding itself to a higher standard of service while also clearly outlining its expectations regarding the conduct of individual construction industry professionals.”

“Upholding strong ethical standards and professionalism is of paramount importance to the future of the construction industry, and the new Industry Code of Conduct is a powerful and successful step forward on that front,” said **Jolie Milstein, president of the New York State Association for Affordable Housing (NYSFAH)**. “Commissioner Chandler and DOB deserve our sincere praise for taking action to increase safety and transparency, and ensuring that the construction industry will continue to be one of our city’s most important economic engines.”

“The Buildings Department is to be applauded for this initiative to establish a standard of ethics and transparency in the construction industry,” said **Buildings Trades Employer’s Association President Louis Coletti**. “By doing so both for City employees as well as industry professionals, it sends a clear message and sets a new standard of how business will be conducted.”

“As registered filing representatives who interact daily with Department professionals, representing billions of dollars in construction activity annually, the New York Coalition of Code Consultants (NYCCC) takes seriously the values of transparency, accountability and professionalism,” said **Domenick Chieco, New York Coalition of Code Consultants Chairman**. “NYCCC applauds Commissioner Chandler for releasing an Industry Code of Conduct, which will set a higher standard of ethics for the agency and all its users. We look forward to working with DOB on this important initiative”

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