

**Testimony of the New York Building Congress in opposition to the New York State Supreme Court's ruling against the development at 200 Amsterdam  
2.18.2020**

On behalf of the New York Building Congress, I am writing to express my deep concern regarding the recent ruling issued by the State Supreme Court against the development at 200 Amsterdam Avenue by SJP properties. I urge you to stand against the court's recent decision and uphold the trustworthiness of our legal environment for the benefit not only of the building industry, but of the wider economy.

In September 2017, the NYC Department of Buildings issued permits to allow 200 Amsterdam to begin construction on an as-of-right project. The process for reviewing and approving the building permits was transparent and consistent with the City's procedures and a long-established zoning interpretation. This past week, the State Supreme Court abruptly put into effect an unprecedented retroactive reversal of that ruling.

The court's unfair decision to invalidate a previously approved zoning ordinance and order the developers at 200 Amsterdam to deconstruct and remove a significant portion of the nearly completed building sets a dangerous precedent with far-reaching repercussions for the project in question and beyond.

If the building industry cannot count on the reliability of past legal determinations, the ensuing uncertainty has the potential to stifle current and future investments throughout the city. Further, the possibility of suffering the retroactive reversal of a previous decision will create a climate of risk and unpredictability that will discourage the level of investment and construction activity characteristic of one of New York's most robust industries. If upheld, this ruling could put at risk the many investments and jobs tied to the building industry, from construction workers and contractors to engineers, architects, owners and beyond.

On behalf of the New York Building Congress and our more than 570 member organizations, I urge you to stand against the court's recent decision and advocate for a fair and reliable business environment.

Very truly yours,

Carlo A. Scissura, Esq.  
President & CEO  
New York Building Congress