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NEW YORK
BUILDING
CONGRESS

June 17, 2008

The Honorable Christine C. Quinn
Speaker, New York City Council
City Hall
New York, NY 10007

Dear Speaker Quinn,

Chris

The Building Congress urges the City Council not to permanently change section 641 of the New York City Charter, which requires that the commissioner of the Department of Buildings be a registered architect or licensed professional engineer in good standing under the State Education Law.

While the Department needs a good manager to administer its operations, the responsibilities of and authority granted to the commissioner demand that the position be held first and foremost by a licensed professional. As the final authority on the evaluation and approval of construction plans and interpretation of the Building Codes, the commissioner must exercise judgment on highly technical matters. The expertise needed to make the "close calls" and set important Department policy affecting public health and safety requires the kind of specific training and expertise that only the rigors of professional licensure – through its standards and testing – can provide.

A reasonable compromise is available to the Council. To the extent amendment of the City Charter is deemed necessary to fill this important position, given that 18 months remain in the Bloomberg Administration, we urge the Council to make any such change temporary. This compromise would afford the Mayor's Office with the flexibility it needs to widen the potential pool of candidates for commissioner, without diminishing the qualifications for the job on a permanent basis. At the same time, the next Charter Revision Commission can consider the long-term viability of permanently amending the City Charter.

Thank you for considering this approach.

Sincerely,

[Signature]
Richard T. Anderson
President