**Dear Commissioner James Oddo and the New York City Department of Buildings,**

My name is Mary Ellen Sullivan, and I am a proud member of WEACT For Environmental Justice, Swing Left Target Majority, and Kings County Committee. I am testifying to the importance of upholding and implementing Local Law 97. The proposed rules need strict guardrails and enforcement strategies to ensure local emissions reductions are successful and timely.

Local Law 97 is a groundbreaking law which gives NYC an unparalleled opportunity to reduce our emissions by tackling the source of 70% of NYC emissions – the built environment. To dilute the power of this bill by allowing implementation rules to effectively eliminate penalties for non-compliance would be an affront to citizens, citizen’s children, and to their children’s children. You have an amazing opportunity to effectively implement this rule and change the trajectory of NYC’s pollution, I hope you seize it.

I have the following specific concerns about the rules outlined by the Department of Buildings (DOB):

* There are too many opportunities for building owners to avoid penalties and delay deep retrofits. Many buildings will choose a pathway that delays compliance timelines instead of hitting the 2030 target, and the City does not currently have adequate budget or staffing to hold these buildings accountable.

* “Good Faith Efforts” outlined in the new set of proposed rules is too broad and lacks adequate enforcement plans. Compliance exemptions should only be made for buildings and affordable housing residents who need it most, not for buildings that want to delay implementation.

* There is no language limiting the use of renewable energy credits (RECs) for building owners who are not using the “Good Faith Efforts”. DOB has not complied with Local Law 77’s (2023) mandate to limit the use of RECs. DOB must limit RECs and they should be limited to 10% of the pollution over a building’s pollution limit.

I want this administration to show its citizens the City can enforce the law to help facilitate Local Law 97 implementation, achieve the intent of LL97 which is to quickly reduce emissions, and to mitigate the delayed timelines currently outlined.

I also urge the City to strengthen tenant and anti-displacement protections in the rules, to prevent the possible gentrification and displacement of New Yorkers from their homes, especially vulnerable New Yorkers who have done the least to cause the climate crisis and are exposed to the negative consequences the most. Affordability is already a crisis among many New Yorkers. My own children would love to call New York City their forever city, but do not believe that they will be able to afford buying a home or apartment here.

Thank you for your time.

Sincerely,

Mary Ellen Sullivan

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