

Is the FISP Recommendations Report the evaluation that Local Law 49 of 2025 charged the Department with performing, and if so, where is it on the Government Publications Portal?

I am a New York State licensed professional engineer, License No. 107881, commenting in an individual capacity on proposed rule DOB-216 / 2026 RG 048. This comment alleges no wrongdoing by any person or firm. It concerns what the public record does and does not contain. Where a question is open on the public record I identify it as open rather than assert it as a finding. Most of what follows would be resolved by the Department stating a fact.

Local Law 49 of 2025, Introduction 394-A of 2024, charges the Department with evaluating the appropriate time period for facade inspections, effective immediately, and sets the periodic interval for critical examinations at between six and twelve years effective October 1, 2026.

The FISP Recommendations Report prepared for the Department by its consultant is dated December 10, 2025. Its Recommendation 3 proposes extending the baseline filing frequency from five years to six.

Footnote 19 of that report, on page 15, states that the recommendations in the report "have been developed independently of Local Law 49 of 2025, legislated by the NYC Council," and then recites what Local Law 49 did.

That footnote creates the question. Either the report is the evaluation Local Law 49 charged the Department with performing, or it is not.

If it is, then it is a statutorily mandated deliverable, it is not independent of Local Law 49, and Charter Section 1133 requires its submission to the Government Publications Portal maintained by the Department of Records and Information Services. It is not presently locatable there.

If it is not, then the evaluation Local Law 49 charged the Department with performing is a separate document, and the same publication obligation attaches to that one. In that case I ask where it is.

Either answer produces a document the public is entitled to have. I am not asking the Department for a favor or for a courtesy disclosure. I am asking it to comply with a publication requirement that already applies to it.

This matters directly to this rule, and not only to the facade rule the Department has separately docketed. The Department has stated in bulletins, notices and public announcements that the consultant's report is the FISP report and that it is developing updated FISP rules

informed by it. This rule registers, prices, interviews and disciplines the professionals who perform those inspections. A member of the regulated community preparing a technical comment on inspector qualifications cannot evaluate whether the qualification changes proposed here are consistent with the Department's own evidence base while that evidence base is not published where the law requires it to be published.

I raise a second point about the report, and I raise it as a reservation rather than as an objection to this rule.

I have read the report in full. Its eleven recommendations address the definitions of unsafe and of safe with a repair and maintenance program, administrative unsafe classification, baseline inspection frequency, abbreviated filing, enhanced inspection, reduced hands-on inspection, a drone pilot program, property access agreements, the QEWI help desk, violation notice presentation, and a QEWI guide. None of them recommends a registration scheme, a fee, an interview requirement, or a change to inspector experience requirements. I state that plainly because it cuts against my own concern, and the record should reflect it. The published report does not support this rule and I do not contend that it does.

I have separately identified what I believe are four methodological defects in that report, concerning the treatment of buildings with no report filed as missing at random in the trend statistics when that population grew from zero to twenty-one percent of the building stock and is plausibly correlated with the risk being measured; the use of a dataset containing no variation in inspection interval to support a conclusion about the safety of changing the inspection interval; the use of a single cross-sectional snapshot to set a forty-year eligibility threshold without controlling for facade material or construction era, which the report's own material analysis identifies as material to failure rates; and a fixed denominator in the Failure Risk Factor that systematically deflates the index for materials with more inapplicable degradation agents, which in turn feeds the selection of which facades receive enhanced inspection. Those objections are directed at the report and belong in the comment record for the facade rule the Department has announced as Item 16 of its FY2027 Regulatory Agenda, and I intend to file them there.

I raise them here conditionally only. If the Department states that work performed under its facade consulting engagement informed any provision of this rule, I ask that the comment period be extended so that the report's methodology may be addressed as part of the stated basis for that provision.

I note that the consultant itself asks to be evaluated independently. The Report Qualifications section on page 109 states that its recommendations are advisory in nature and should be evaluated,

modified or supplemented if used for any other purpose, and that responsibility for legislative and regulatory enactments rests solely with the entities that create them. The consultant is asking the Department to perform its own analysis. So am I.

I note further, and to the report's credit, that it discloses on its author page that its lead author is a registered QEWI. That disclosure is appropriate. It also demonstrates that disclosure norms already operate in this field, which makes their absence from this rulemaking record more conspicuous rather than less.

REQUESTS

State whether the FISP Recommendations Report dated December 10, 2025 is the evaluation of facade inspection intervals that Local Law 49 of 2025 charged the Department with performing.

If it is, submit it to the Government Publications Portal as Charter Section 1133 requires and state the date of submission.

If it is not, identify the document that constitutes that evaluation, state its date, and confirm its submission to the Government Publications Portal.

Identify every report the Department is presently delinquent in submitting to the Government Publications Portal that bears on the facade, parking structure or retaining wall inspection programs, and state the date by which each will be submitted.

Confirm whether any work product produced under any facade consulting engagement informed any provision of this rule, and if so, place it in the rulemaking record and extend the comment period.

2 Introduction & Project Overview

What Is a Sidewalk Shed?

Sidewalk sheds are temporary structures erected adjacent to buildings, usually over sidewalks and entrances, to protect pedestrians and other property from potential hazards. Sheds are also sometimes referred to as “scaffolding,” “bridges” or “canopies.” However, the term “scaffolding” is typically used to refer to temporary protection that extends to the entire height of a building, normally erected during construction. There are several reasons for erecting a sidewalk shed in NYC. These include new-building construction, façade repairs in progress, or the existence of UNSAFE conditions as identified in the context of FISP.¹⁶

creating a potential environment for crime, unsanitary conditions, and diminished curb appeal to retail businesses. NYC’s Get Sheds Down initiative was introduced in 2023 to identify measures to reduce their number without adversely affecting public safety.¹⁵

Over its 45-year history, FISP has evolved to become more comprehensive and prescriptive. It has developed more stringent qualifications for the registered design professionals who perform inspections, amended the definition of the UNSAFE condition, adopted additional fines for noncompliance, begun requiring additional inspections for cavity walls, and increased the requirements for hands-on critical examinations.^{17 18} The combination of these enhancements and the increasingly conservative interpretations of the rule by QEWIs (in response to liability concerns and DOB’s rigorous standards) has led to a growing number of FISP buildings un-

dergoing repair and maintenance programs. This, in turn, has led to an increase in UNSAFE classifications and a resulting increase in sidewalk sheds.

However, interestingly, since its inception, NYC’s façade ordinance has treated all qualifying buildings essentially the same, allowing very few distinctions for building characteristics such as age, height, materials, systems or maintenance history.

2.2 Scope of This Study

Thornton Tomasetti was selected in May 2024 to provide consulting services for a comprehensive review of the current requirements of FISP and provide recommendations for potential improvements.¹⁹ The tasks were performed over the

¹⁵ www.nyc.gov/content/getstufdone/pages/sidewalk-sheds

¹⁶ Under 1 RCNY 103-04(c)(2)(vii), QEWIs, with DOB’s approval, are responsible for determining the appropriate protective measures for UNSAFE conditions. Interviews and surveys from QEWIs show that most QEWIs default to recommending a sidewalk shed in most UNSAFE circumstances. Chapter 33 of the NYC Building Code governs sidewalk shed requirements during construction, which includes during façade repair work. www.nyc.gov/site/buildings/codes/nyc-code.page

¹⁷ Local Law 10 of 1980 did not define the term “unsafe” and left the interpretation to the registered design professional. Rule changes to 1 RCNY 32-03 (later 1 RCNY 103-04) in 1999 (following Local Law 11) defined UNSAFE as “dangerous to persons or property and require prompt remedial action.” Further amendment of the rule in 2020 defined UNSAFE as “requires repair within one (1) year of completion of critical examination.”

¹⁸ “Hands-on” or “critical” examinations are façade inspections that are performed via a variety of methods. These include, but are not limited to suspended swing-stage (“window-washing”) platform, boom lift/bucket truck, industrial rope access rope rappelling system, or permanently installed building maintenance units (BMU).

¹⁹ The recommendations in this report have been developed independently of Local Law 49 of 2025, legislated by the NYC Council. Local Law 49 of 2025 amended 28 NYCAC 302.2 to require inspections “between 6 to 12 years.” The law also requires that the “initial examination for a new building shall be conducted in the eighth year following the erection or installation of any exterior wall or appurtenances as evidenced by the issuance date of a temporary or final certificate of occupancy or as otherwise prescribed by rule.” (legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557984&GUID=3DC87BEC-F376-44C2-B1AF-D59EFBD5DB60)



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Recommendations

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The following recommendations are based on the evidence acquired during this study, including stakeholder feedback, historical records and available published testing data on façade material and system performance. The sum of this information is reflected in these recommendations, which are designed to adjust FISP to incorporate technology, better address the varied performance of different building typologies, and reduce the number of unnecessary sidewalk sheds.

Throughout the course of this engagement, several common themes emerged from our discussion with the stakeholders discussed throughout this report:

- FISP currently works well and contributes to a safer NYC.
- FISP currently treats all building façades equally, regardless of height, age, or construction materials and systems.
- Certain aspects of the FISP rules and administration can be improved to better address the diversity of façade construction types in NYC.
- Within the stakeholder community, inconsistencies exist in the interpretation of FISP.

Our recommended improvements to FISP focus primarily on the following objectives:

- Make sidewalk sheds rarer without compromising public safety.
- Make FISP more flexible and bespoke where appropriate.
- Clarify gray areas for both QEWS and owners through education and rule changes.
- Streamline administrative bottlenecks to speed up the compliance process.

The recommendations are organized into two broad categories:

- Recommended Policy Changes to Rule or Law (Recommendations 1 through 8)
- Recommended Administrative Changes to DOB Procedure (Recommendations 9 through 11)

These recommendations fall into the following categories:

Five New Requirements/Provisions

- Amend the FISP definitions of UNSAFE and SWARMP for all buildings (Recommendation 1).
- Differentiate "administrative" UNSAFE from actual UNSAFE for all buildings (Recommendation 2).
- Change baseline inspection frequency from every five to every six years for all buildings (Recommendation 3).
- Create an "Enhanced Inspection" option for certain higher-risk façades (Recommendation 5).
- Create a "Reduced Hands-On" option for certain lower-risk façades (Recommendation 6).

One New Program that Owner/QEWI needs to apply for

- Create an "Abbreviated Filing" program for lower-risk façades (Recommendation 4).

Five Recommendations for Further Study and Administrative Changes

- Develop and conduct a pilot program for use of drones (Recommendation 7).

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- Create a legal alternative to property access agreements (Recommendation 8).
- Improve DOB QEWI help desk system (Recommendation 9).
- Improve presentation of "failure to maintain" violation notices (Recommendation 10).
- Develop and publish a "QEWI Guide" (Recommendation 11).

8.1 Recommended Policy Changes

Recommendation 1 Amend the FISP definitions of UNSAFE and SWARMP.

We propose modifying the definition of UNSAFE in RCNY §103-04 to reflect the severity of the condition rather than basing it on a failure or repair time frame. To make it more consistent with current industry practices, we propose the following definition:

UNSAFE: "A condition of a building wall, any appurtenances thereto or any part thereof identified at the time of inspection that is imminently hazardous to persons or property."

We also propose redefining the definition of SWARMP to include any conditions that require repair, regardless of the imposed repair time frame. In the current rule, conditions are classified as SWARMP only if they are deemed to become unsafe if not repaired within the next one to five years. We propose the following new definition for SWARMP:

SWARMP: "A condition of a building wall, any appurtenances thereto or any part thereof that requires repairs or maintenance to prevent deterioration into an Unsafe condition."

This proposed change to the definition of SWARMP would still require that specific repair time frames be assigned to conditions. The specified date does not necessarily represent when the condition will fail or become UNSAFE, but instead indicates when, based on the QEWI's professional judgment, the repair should be completed to avoid causing consequential deterioration of underlying materials in the façade assembly or to avoid allowing the condition to worsen and eventually become hazardous or unsafe. Therefore, SWARMP conditions must still be repaired within the cycle. However, with these revisions, a SWARMP condition may be identified as requiring repair in less than a year without automatically reclassifying the condition as UNSAFE.

To further enhance the process, we propose adding a requirement to the rule that if a SWARMP date passes without completion of the repair, an owner shall request their QEWI to reinspect the condition(s) and file a Subsequent report. In that report, the QEWI will describe the status of the condition(s) and specify the new repair completion time frame(s). Although this is currently permitted within the program, it is not a requirement and is not consistently done.

The current provision would remain that SWARMP conditions must be repaired within the cycle or be reclassified as UNSAFE. The reclassification would be due to the expiration of the deadline, as clarified in Recommendation 2.

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Recommendation 2

Differentiate conditions filed as UNSAFE due only to unrepaired SWARMP conditions from the prior cycle.

The goal of this recommendation is to reduce the number of sidewalk sheds by more clearly differentiating actual unsafe or hazardous conditions from SWARMP conditions that have been automatically reclassified as UNSAFE (commonly referred to as "Administrative UNSAFE") but are not deemed unsafe or hazardous.

When a new cycle begins, any unrepaired SWARMP conditions from the prior cycle will be evaluated by the QEWI to determine whether a sidewalk shed (or other means of public protection) is required.

Section 3 of the Initial report (TR6) form will be modified to include a checkbox for "UNSAFE (resulting only from unrepaired SWARMP)." This box must be checked if the UNSAFE classification results only from unrepaired SWARMP conditions from the prior report and no public protection is required. However, if the QEWI identifies any actual unsafe or hazardous conditions (either newly discovered conditions or those resulting from unrepaired SWARMP from the prior cycle), the "UNSAFE" box must be checked instead, and public protection installed. In addition, we propose adding two checkboxes on the FISP form for clarity: "Requires Pedestrian Protection" and "No Pedestrian Protection Required."

The benefit of the approach proposed in Recommendations 1 and 2 is that it allows more flexibility in assigning repair time frames to SWARMP conditions without automatically imposing an UNSAFE

classification. This, in turn, may help reduce the number of unnecessary sidewalk sheds, potentially decreasing short-term costs as well as long-term repairs for owners.

Recommendation 3

Extend the baseline FISP filing frequency from every five years to every six years and change the required first filing for new buildings from five years to six years from the date of the first TCO or CO.

Since NYC's initial façade ordinance was enacted in 1980, the rules have evolved to incorporate more prescriptive inspection and investigation methodologies (including wall probes), enhanced repair requirements (including the stipulation of time frames) and increased enforcement and oversight by DOB. The current FISP rules impose a level of diligence that clearly exceeds what was anticipated when the five-year inspection interval was specified 45 years ago.

Under the changes proposed in this report, UNSAFE conditions will still require pedestrian protection to remain in place until they are repaired. And SWARMP conditions will continue to be tracked with repair time frames within the cycle, so for many buildings, work and inspection will be ongoing throughout the cycle.

Because certain materials and assemblies have inherently higher rates of deterioration than others, it is not possible to assign a single inspection interval that covers all possibilities. So the assignment of repair time frames by the QEWI in response to a building's specific conditions is an important part of the current bespoke approach that ensures a continual and sufficient level of

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ongoing inspections and is much less dependent on the FISP inspection interval. Slightly longer repair-by deadlines for less critical SWARMP conditions would also allow building owners more time to finance and phase repair projects.

In addition, the recommendation for Abbreviated Filing (Recommendation 4 below) accommodates buildings with slower rates of deterioration, and the recommendation for Enhanced Inspection and Filing (Recommendation 5 below) accommodates buildings with higher rates of deterioration. For the baseline FISP schedule, the published data reviewed doesn't demonstrate or suggest a significant degradation of materials or systems from five to six years. However, in our experience – and as confirmed in discussions with several QEWIs – allowing more than six years to pass between inspections increases the risk of overlooking meaningful changes in the conditions.

We also recommend that newly constructed buildings continue to conform to the same inspection interval and cadence as existing buildings. During this study, both QEWIs and private owners expressed opinions regarding inconsistencies in the quality of new construction. There was broad agreement that the first FISP examination should not be postponed or skipped, as the effects of latent construction defects commonly begin to appear during the first several years after construction. DOB reported that for Cycle 9, approximately half of new buildings were filed as SWARMP or UNSAFE in their first FISP report.

This recommendation is expected to result in modest cost savings to owners and slightly reduce DOB's administrative burden. Most impor-

tantly, public safety would not be compromised.

Note that in March 2025, the City Council passed a local law amending Section 28-302.2 of the Administrative Code to modify the current five-year FISP inspection interval to "between 6 to 12 years" and to modify the initial examination for a new building to "the eighth year following . . . the issuance of a temporary or final certificate of occupancy." The effective date for these changes is October 1, 2026.

Recommendation 4 **Create an Abbreviated Filing program** **for certain qualifying buildings**

The Abbreviated Filing (AF) program is intended for newer buildings (less than 40 years old) with well-maintained façades and permit eligible buildings to have a 12-year cycle for hands-on inspections if they complete visual-only inspections every three years. The QEWI, at their discretion, may require more frequent visual examinations. A regular "full filing" will be required a minimum of every other cycle, i.e., a building cannot be on the AF program for two cycles in a row.

To be eligible for the AF program, a building needs to meet all the following criteria:

- a. The building's first Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) was issued within 40 years of the cycle filing deadline. If a TCO or CO is not available, the owner shall submit another form of evidence of the building's age to DOB for review.
- b. The current filing status is SAFE.

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- c. The building has already undergone at least one FISP examination (“full filing”).

By completing an application in DOB NOW, the owner and QEWI may request participation in the AF program for an upcoming cycle. DOB will review applications and may reject a submission for any reason, including the building’s condition, façade materials or history.

The AF visual-only examination will consist of the following:

- a. Buildings under 10 stories tall may be inspected from the ground, setbacks or other vantage points using binoculars or telephoto lenses.
- b. Buildings 10 stories or taller will be required to use drone technology that is at least equivalent to eye-level observations performed at a distance no greater than six feet.

If a visual-only examination determines that the façades remain SAFE, the QEWI will file the report and nothing further will be required until the next visual-only or hands-on examination.

If a visual-only examination identifies SWARMP condition(s), the QEWI will assign time frames for repairs within the current full cycle. A QEWI may require a hands-on examination at their discretion if they identify any conditions during the visual-only inspection that warrant further investigation.

If a visual-only examination identifies UNSAFE conditions, the building will be reclassified as UNSAFE. It will then be removed from the AF program and revert to full filing status for the next cycle. It will be an UNSAFE building (i.e., a FISP3 will be issued, public protection will be installed, etc.).

The filing window for the visual-only examination and report will be one year. If an owner fails to file the visual-only report within the filing window for either the third or sixth year, the building will be removed from the AF program for that cycle and will be required to perform a regular FISP examination in the next normal full-filing cycle. If an owner fails to file the visual-only report within the filing window for the ninth year, they will become ineligible to apply for the AF program during the next normal full-filing cycle. Civil penalties will also be assessed for failure to file within the required time frames.

The TR6 form will be modified to include a checkbox indicating an AF visual-only report. The report will be filed in DOB NOW and will be in a shorter and simpler format than a normal FISP report. Approximately 40% of FISP buildings constructed in the past 40 years will qualify for the AF program (or approximately 9% of the total universe of FISP buildings). It is expected to result in a net cost savings for participating owners but will increase the DOB’s administrative burden because visual-only reports will be filed every three years for participating buildings.

Recommendation 5 **Create an Enhanced Inspection option for certain higher-risk façades.**

The Enhanced Inspection (EI) option is intended to target buildings with façade materials or assemblies, or maintenance history that point to patterns of chronic deterioration that need to be assessed more often than every six years because they are deemed to have an elevated risk.

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Implemented on a case-by-case basis, EI consists of a visual-only examination at the midpoint between (and in addition to) the regular six-year FISP cycle hands-on examinations. While such interim inspections are currently permitted, no specific provisions are cited in the rules. This recommendation will create a formal and consistent process. The EI option will be at the discretion of the DOB, based on site factors including but not limited to past FISP history, violation history, site-specific construction conditions and QEWI feedback. The TR6 form will be modified to include a checkbox identifying a building that has been proposed for EI.

The methodology for conducting the visual-only examination will be the same as that described in the Abbreviated Filing program above. If the visual-only examination reveals changes to the conditions of the façade that would require a change in classification (from SAFE to SWARMP or UNSAFE, or from SWARMP to UNSAFE), a Subsequent report must be filed with DOB, and all other normal procedures in the FISP rules must be followed. If no changes are observed in the conditions that would necessitate its reclassification, then no report needs to be filed with DOB. Regardless, a summary of the midpoint Enhanced Inspection findings will be included as part of the full inspection filing in the next cycle.

The EI option will potentially affect a small percentage of FISP buildings. The recommendation is expected to result in a modest increase in inspection costs for these owners and administrative burden for DOB. The benefit is that it will allow most buildings to have a longer cycle while directing the necessary monitoring of higher-risk buildings.

Recommendation 6

Create a Reduced Hands-On option that increases the 60-foot drop spacing requirement to 100 feet for certain buildings.

The Reduced Hands-On (RHO) option is intended for buildings for which the 60-foot spacing requirement would result in more effort than reasonably necessary to provide actionable data on the façade conditions. To qualify for this, a building must be short enough to be readily observable with binoculars from the street level and must entail a façade type that is repetitive and relatively unornamented.

To be eligible for reduced hands-on inspections, a building must meet all the following criteria:

- a. The most recent regular full-filing status was SAFE OR SWARMP.
- b. The building is no greater than 20 stories tall.
- c. The façades are not constructed of terra cotta, natural stone, cast stone, precast concrete panels, cast-in-place concrete, EIFS or stucco.
- d. The building does not contain balconies or exposed concrete “eyebrows.”

At least one drop per façade shall be performed. A “drop” in the context of this recommendation is defined as access that permits at least 15 feet of hands-on inspection, regardless of the method used.

This recommendation is expected to slightly decrease inspection costs for participating owners.

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Recommendation 7

Develop and conduct a pilot program to explore the potential use of drones to qualify buildings for further exemptions from FISP.

The goal of this DOB pilot program would be to perform real-world test cases that explore the potential for drones to further exempt certain buildings from FISP hands-on requirements beyond the exemption provided in the Abbreviated Filing program. The program will also include evaluating the current effectiveness of software tools (including photogrammetry and computer vision) for performing drone imagery analysis.

This pilot program is intended to build on the conclusions made in the 2021 DOB Study Using Drones to Conduct Façade Inspections. The results can inform the development of initial policies for drone use in connection with FISP.

DOB would select several test buildings of differing façade materials for this pilot program. Then a comprehensive 100% envelope drone inspection would be completed by one engineer, while another would oversee the traditional hands-on evaluation. It also may be possible to use existing drone imagery datasets to reduce the need to fly drones as part of this study.

The program would be designed to determine what percentage of critical conditions found during the hand-on inspection can be detected with a drone-based inspection. This will allow DOB to assess the capabilities of drone technology and camera resolution to determine if drone-based visual inspections are able to exceed the capabilities of hands-on human visual inspection.

The pilot study would also compare the difference in cost between the two approaches. We expect the study will be sponsored and funded by DOB or by a nonprofit technical standards organization or university.

Recommendation 8

Create a legal alternative for property access agreements.

While we recognize that this is not in DOB's purview, we recommend the creation of a streamlined, structured legal process for neighbor access agreements. This may include statutory license terms for access.

Currently, adjacent owners typically negotiate an access agreement with the neighboring property, and if they cannot come to terms within a certain amount of time, an owner can initiate a special proceeding under Section 881 of the New York State Real Property Actions & Proceedings law. Under these circumstances, sidewalk sheds may remain in place with no repair work occurring, wasting time, money, and resources.

The RPAPL 881 special proceeding is viewed as a measure of last resort and usually occurs only after attempts have been made to negotiate an access agreement. It can take time to obtain a court order to implement RPAPL 881, but there have been attempts to amend this law to make access simpler and faster. This recommendation would be consistent with these proposed amendments.

One appropriate model for may be the statutory license law in Massachusetts 266 MGL 120B , in which access to adjacent properties is permitted with requirements for notifying the neighboring

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owner, demonstration of refusal to grant access, local police department notification, a bond requirement and a limitation on material and tool storage on neighboring property.

8.2 Recommended Administrative Changes

Recommendation 9

Improve DOB's help-desk system for QEWI inquiries.

Currently, QEWIs must submit questions about a FISP filing to an email address (façades@buildings.nyc.gov). Sometimes the questions cannot reach the plan examiner who is currently reviewing the submission related to the question being asked.

The goal of this recommendation is to implement a more robust help-desk ticketing system that allows QEWIs to submit filing-specific questions which can be answered directly by the assigned examiner when needed. QEWIs will not need to directly access the assigned plan examiner for all questions, but the help-desk system could allow for internal DOB triage and elevation of questions when appropriate.

Separately, DOB should consider adopting commercially available knowledge hub (FAQ) software that can automatically provide answers by scanning document repositories such as the slide presentations posted to the DOB website. Certain software provides automated responses to general questions, offering answers from the knowl-

edge hub before escalating more complex questions to human representatives.

Recommendation 10

Improve the presentation of "failure to maintain" façade violation notices.

"Failure-to-maintain" façade violation notices should clearly identify and communicate the exact location and nature of the condition. Owners are often unable to understand where the locations in question are, and QEWIs who have had notices forwarded to them also commented that they are typically difficult to understand and that sometimes the location of conditions is not clear. The simple goal of this recommendation is a quicker resolution of hazardous conditions.

Recommendation 11

Develop and publish a QEWI Guide.

Our QEWI and owner interviews revealed the need for a QEWI Guide, which would serve as a resource documenting consistent best practices and as a companion to the FISP rules. The guide may include:

- A summary of the rule changes implemented because of this study.
- Best practices for the classification of certain SWARMP vs. UNSAFE conditions in specific materials.
- Best practices for communicating "maintenance" conditions in the FISP report.
- Best practices for use of drones for façade inspections.

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- Approaches to public protection for various building configurations and FISP filing statuses.
- An FAQ section.

The guide should be viewed as a “living” document that can be supplemented by periodic updates. Its rollout is envisioned to be supported by webinars, presentations to stakeholder groups, and other forums for education and discussion.

Report Qualifications

This Report was prepared by Thornton Tomasetti ("TT") for the sole purpose of providing analytical observations, professional opinions and policy recommendations based on the facts and circumstances specific to this engagement, only. The information, findings, and recommendations contained herein are provided "as-is" and are based on documents reviewed, data analyzed, interviews taken and surveys conducted by TT at the time of its analysis that were specific for the facts and circumstances surrounding this engagement.

TT makes no warranties or representations, express or implied, regarding the accuracy or completeness of the analytical observations, professional opinions, and policy recommendations for future applicability for any other purpose, except as set forth herein. Any analytical observations, professional opinions and policy recommendations offered in this Report are specific to the underlying circumstances presented to TT for this assignment. They are advisory in nature and should be evaluated, modified, and/or supplemented if used for any other purpose considering other fact specific circumstances, objectives, operational context, legal obligations, and independent judgment.

Furthermore, the analytical observations, professional opinions, and policy recommendations within this Report are not intended to constitute, and shall not be interpreted as, legal advice, regulatory direction, or a mandate. TT has no authority to enact or implement laws, regulations, or policies, and bears no responsibility for how any third party, including legislators, regulatory bodies, or private organizations chooses to interpret, adopt, implement, and/or enforce any of TT's analytical observations, professional opinions, and policy recommendations, in whole or in part.

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It is expressly understood that by relying on any of the recommendations contained herein for any other purpose but for the facts and circumstances specific to this engagement, constitutes acceptance that TT's role is limited to providing analytical observations, professional opinions and policy recommendations within the scope of this specific engagement, and that any other actions taken in connection with matters that are non-specific to this engagement are taken at the sole discretion and risk of the third-party user.

The above statements are made consistent with the standards of skill and care generally exercised by other engineering firms acting in the same locale under similar conditions. TT reserves the right to amend this Report and the opinions set forth herein, upon receipt of new or additional information.