



## AIA New York Chapter

The Founding Chapter of  
The American Institute of Architects

21 September 2006

Hon. Erik Martin Dilan  
New York City Councilmember  
Chair, Committee on Housing & Buildings  
City Hall  
New York, New York 10007

Dear Chair Dilan:

The American Institute of Architects New York Chapter, the Manhattan component of the AIA representing over 4,200 architect and affiliate members in New York City, supports the position that significant improvements in the operations of the New York City Department of Buildings have occurred in the last several years, all directed at making it more professional in approach and more responsive to the needs of the public and the construction industry. And we, as architects, stand willing to assist the New York City Department of Buildings in resolving issues pertaining to the protection of the health, safety and welfare of the general public. Professional misconduct and illegal practice of architecture should bear serious consequences. The means of enforcement exists, what is lacking are the resources to utilize existing New York State statutes.

Professional Certification was originally instituted to facilitate the approval process. Abuse of the system is defined as professional misconduct which should be addressed by the New York State Education Department Office of Professional Discipline. The majority of noncompliance cases are honest mistakes and are readily addressable by the architect concerned and Department of Buildings staff.

We are ready to assist the Buildings Department in developing guidelines and definitions concerning disciplinary procedures. Where there are repeated cases of noncompliance that do not constitute professional misconduct or illegal practice, the Buildings Department should have the right to suspend the professional certification privileges previously granted, consistent with its approved procedures and clear guidelines.

With proper DoB guidelines in place and adequate staff resources at the New York State Education Department, no supplementary enforcement beyond the existing Office of Professional Discipline is required. The Office of Professional Discipline has adequate enforcement powers over professional misconduct and statutes exist to address the issue of illegal practice.

The design professions are licensed by the State of New York and practice is permitted statewide. There is currently no requirement for licensure specific to practice in the City of New York, and we feel that the implementation of dual licensure does not make sense. The right to use professional certification is, however, a privilege granted by the NYC Department of Buildings, which should have the ability, consistent with appropriate due process, to suspend or revoke these privileges.

In conclusion, we at the Manhattan-based AIA New York Chapter feel strongly that the NYC Department of Buildings is much improved, and we are ready, willing and able to assist with efforts to develop guidelines and procedures to eliminate professional misconduct and illegal practice. The actions resulting from these guidelines and procedures, apart from suspension or revocation of professional certification privileges, however, should be enforced by the relevant State agency, which will need additional resources to be able to effectively act in this regard.

Yours truly,

Fredric Bell, FAIA  
Executive Director, AIA New York Chapter