

Waivers Based on Undue Economic Burden Submission Requirements:

Section 1101.3.5 of the Building Code permits waivers of provisions of Chapter 11, under certain circumstances. Section 1101.3.5(1) states that waivers can be granted if compliance would "create an undue economic burden."

The Mayor's Office for People with Disabilities reviews all waiver requests, prior to any determination by the Commissioner of the NYC Department of Buildings (DOB), as to whether or not such waiver(s) should be granted, and advises the Commissioner of DOB accordingly.

For consideration of a waiver based on "undue economic burden," the following (among other possible documents) must be submitted to the Mayor's Office for People with Disabilities:

A. BACKGROUND INFORMATION

1. Nature of business (if applicable).
2. Is the company new, expanding or relocating?
3. Number of employees.

B. COST ESTIMATE FOR WORK PLANNED

- Prepared by the architect, the contractor or a professional estimator.

C. COST ESTIMATE FOR 1ITEM(S) FOR WHICH WAIVER IS SOUGHT

- Prepared by the architect, the contractor, a professional estimator, or supplier (if appropriate).

D. FINANCIAL REVIEW

- Prepared by a Certified Public Accountant, setting forth a full accounting of all debits and assets of the applicant. Documentation submitted should include information, such as:
 - Tax Returns (Income and Property Taxes)
 - Existing Bank Accounts,
 - Stocks, Bonds,
 - Real Estate, Other Holdings,
 - All Income Sources,
 - All Inventory,
 - Salaries of Employees,
 - Loans, including Mortgages, etc.
 - Accounts Payable and Receivable.

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