

Non-Essential Construction Must Cease in New York

All non-essential construction in cooperatives (coops) and condominiums (condos) must shut down immediately, with the exception of emergency construction, according to revisions to the Empire State Development (ESD) website. The ESD is a governmental website that (among other things) provides guidance for New York business enterprises that are subject to workforce reductions under Governor Cuomo's recent executive orders related to the COVID-19.

Examples of emergency construction included on the ESD website are projects that are necessary to protect the health and safety of building occupants or ongoing projects that cannot safely remain undone while the construction site is open. Non-essential construction work that requires only a single worker, who is the sole employee/worker on a job site, may continue as of now. It is recommended that boards of coops and condos consult with their counsel to determine whether work in their building is considered essential. Violations of the governor's executive order carry fines of up to \$10,000 per violation.



Leni Morrison Cummins

**Chair,
Condominiums
& Cooperatives**

lcummins@cozen.com
Phone: (212) 883-4954
Fax: (212) 509-9492



Jennifer D. Miller

Member

jdmler@cozen.com
Phone: (212) 883-4908
Fax: (212) 509-9492

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