

How OER will implement the ban on construction that Governor Cuomo announced on Friday:

First, affordable housing projects, defined as those building affordable inclusionary housing, mandatory inclusionary housing or sites where 30% of more of the residential units are affordable, are deemed essential and can continue with construction activities. Similarly, other essential projects identified in the Governor's order, e.g. homeless shelters and transit facilities, etc., can continue with construction.

Second, based on NYC DOB's and NY DEC's interpretation of the Governor's order, OER projects that aren't essential but have broken ground and can halt activities without compromising public health, must cease construction.

Sites with approved remedies that have not yet broken ground and their development is not essential per the Governor's order cannot commence construction until the Governor's construction ban is lifted or modified.

Sites in the investigation sampling phase that are not essential must cease work under the Governor's ban.

For each OER site that will continue operations, the development team must submit to your OER Project Manager a statement explaining the basis for each project's continued operation and for how long. These statements must be provided to your OER Project Manager by the close of business on Wednesday, April 1.

Below is a link to DOB's statement:

[https://www1.nyc.gov/assets/buildings/pdf/essential\\_vs\\_non-essential.pdf](https://www1.nyc.gov/assets/buildings/pdf/essential_vs_non-essential.pdf)