



COPY

March 23, 2017

The Honorable Carl Heastie
Assembly Speaker
New York State Assembly
Legislative Office Building – Room 932
Albany, NY 12248

Dear Mr. Speaker:

Habitat for Humanity of New York State is in full support of the reform of Labor Laws 240, 241 and supports the current proposed Scaffold Law Reform Bill (A05624).

Habitat for Humanity builds homes in partnership with

- families in need of affordable housing solutions and
- volunteers who wish to make an impact on the housing needs of their community

In New York, this is an uninsurable business model because due to the Scaffold Law, it is not possible for a NY contractor within this business model to purchase liability insurance! Fortunately, Habitat for Humanity affiliates are currently insured through a national contract negotiated by Habitat for Humanity International. If the carrier wants Habitat's national business, they must agree to cover New York. Several significant projects, such as recovery after Superstorm Sandy had to be abandoned because additional insurance was required, and due to the Scaffold Law's "absolute liability" standard, no insurer would write the policy to cover our volunteers.

We could change our business model to one which does not include volunteers. Insurance is available then. The consequences are a significant increase in the cost of already heavily subsidized homes and the loss of community engagement in addressing the very real issue of safe, affordable housing. Who are we protecting?

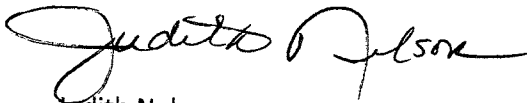
As we examine ways for our state to become more vibrant, encourage volunteerism, increase our citizen's engagement in their communities and leverage the work of nonprofit partners in addressing our communities' most serious problems it is important to evaluate the obstacles to our success. The liability standard under New York's Scaffold Law is one of the biggest obstacles when it comes to affordable housing and disaster relief. Access to construction insurance and that insurance at a reasonable cost is critical to addressing the continually expanding housing problems in our communities.

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We urge you to consider changing these archaic laws and assist affordable housing providers with more viable and economical solutions to the housing needs of New York families.

Sincerely,

A handwritten signature in black ink, appearing to read "Judith Nelson". The signature is fluid and cursive, with the first name "Judith" being more prominent and the last name "Nelson" following in a similar style.

Judith Nelson
President & CEO

CC: Governor Andrew Cuomo
Senator John Flanagan
Senator Jeffrey Klein