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How ignoring building codes hurts your neighbors

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I didn't hurt anybody."

That's what disgraced former Hempstead town building commissioner John Loeffel told my colleague, Eden Laikin, in a recent interview.

All Loeffel did was renovate his house, adding an apartment and a very high roof. All he did was make his house bigger, nicer and worth a whole lot more money.

He didn't hurt anybody, he said. And neither did the slew of other building department employees in Hempstead, North Hempstead and Islip who've been caught recently adding value to their homes without bothering to get permits, never mind that they earn good money while in public jobs supposedly to know the rules better than the average property owner.

They didn't hurt anybody. That's what I'm guessing they'd all say.

But they've insulted every property owner who's braved the rigors of a building department and damaged the public's trust. They've also hurt their own neighbors by forcing them to shoulder what should have been the officials' share of the property tax bill.

Take Loeffel, for example.

Once he secures the required permits on his Levittown home upgrade, he will pay an estimated \$6,000 more in property taxes next year, according to the assessor's office.

It's unclear how long ago Loeffel began his renovation project (it could run anywhere between three and five years, I'm told), but photographs in the assessor's office show a house a heck of a lot more modest in 2001 than it is now.

But let's be generous (hey, it's my first day back from vacation) and give Loeffel the benefit of the doubt. Let's say he didn't pay the higher estimated taxes for three years.

That translates roughly - and that's real rough because the school and special district tax levies shift year to year - into \$18,000 of his property tax burden that the neighbors had to cover.

It doesn't sound like a lot until you consider that it's thousands of dollars Loeffel gets to keep.



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That's true now. And it will remain true, even after Loeffel secures the right permits and wins the right building approvals.

Do the math.

Hempstead charges a \$30 fee for a certificate of completion. And a cost of construction permit fee (which is based on an industry standard, not how much contractors charge) is \$100 for the first \$1,000 in construction costs, and \$12 for each additional \$1,000. For an average second-story addition, that works out to about \$1,500 in permit costs.

Loeffel, whose additions hardly were average, probably would have had to pay a slightly higher fee.

But now he'll go a different route to make things right. Loeffel, officials said, will have to win a town "maintenance" permit that would allow him to "maintain" what already is there.

That could cost him more than \$3,000, since it's usually double the construction permit fee.

Even with additional costs, however, Loeffel's fees will fall short of the thousands of dollars he saved in property taxes.

Loeffel told my colleague that he's sorry; that he made a mistake that embarrassed him and cost him the top job in the building department. He said he had planned to file for the renovations and then resign his town job. But he's said nothing about volunteering to pony up taxes he would have paid. And there's no state law that can force him to do it, either.

There's no way Loeffel, or any of the other workers, could compensate the untold number of neighbors cheated by their informed inaction. That would be tough to calculate and too expensive to go through any reimbursement process.

Still, the law should be changed, if only to make offenders pay up.

There's a reason property owners hate going through local building departments. The process can be lengthy, difficult and, for some, absolutely infuriating. And yes, there are property owners who will do just about anything to avoid paying higher property taxes, including making obscene gestures as they bar inspectors from their property. (As happened recently with a team from the county assessor's office.)

There is a higher standard for officials like Loeffel, who ought to know better. And no matter what he or anyone else says, somebody always gets hurt.

There was a direct financial gain to his ignoring town building codes.

And there ought to be a way to get that money back.

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