



NEW YORK STATE SENATOR

Tony Avella

Avella Calls on City to Give a Break to Homeowners Trying to Sell Home

[Tony Avella](#)

December 8, 2017

Queens, NY – This week, State Senator Tony Avella stood with homeowner Keith Mazzarello to call on the Department of Parks and Recreation (DPR) to repair Mr. Mazzarello's sidewalk and the Department of Transportation (DOT) to remove any open violations on the sidewalk as soon as possible so that Mr. Mazzarello can go through with the idea of selling his property. A New York City tree damaged Mr. Mazzarello's sidewalk.

The Northeast Queens Senator was also joined by one of Mr. Mazzarello's neighbors who, a week from officially selling his house, was forced to pay out of pocket to remedy a DOT violation on his sidewalk that could have sabotaged his sale. The damage to both sidewalks was negligible at best.

Under existing New York City policy, the City will pay for any damage to a sidewalk resulting from one of their trees but the process, especially with how slight this damage was, could take years.

The sale of a property with open violations is not impossible but it could seriously complicate any deal that is brokered. The new property homeowner assumes any violation once the sale is complete and can choose to either accept it as is or force the seller to adjust their selling price to cover any work that would have to be done to remedy the violation.

“The fact that the City holds residents hostage for damages caused by City trees is ridiculous and shameful. If Parks and DOT were as focused on repairing their damages as they are with punishing residents we would have a beautiful city. The City needs to do what is right and remove these violations and come out and fix the damage so that these homeowners can go through with the sale of their homes. After all, some of this damage is not worthy of a violation at all,” **said Senator Avella.**