

**New York City Housing Authority (NYCHA)
Standard Procedure Manual for TV, Film or Photography Production
on NYCHA Property**

I. Introduction

The safety of public housing residents, New York City Housing Authority (“NYCHA”) employees and the protection of NYCHA property are the primary concerns in granting permission for film or television production on NYCHA property. NYCHA developments and grounds are private property, and therefore prior permission must be granted.

A Letter of Intent must be approved, proof of liability insurance must be submitted, a Mayor’s permit must be obtained, and a Letter Agreement must be signed and approved by NYCHA before any production can commence on development grounds.

The purpose of this procedure is to establish uniform standards to follow when an individual or production company requests permission to videotape, film, or produce still photography on New York City Housing Authority property.

II. Location Scouting

Location Scouting is a process conducted by production companies or individuals who wish to determine the most appropriate locations for their production. Location scouting consists of still photography, note taking, and general observation. No videotaping of any NYCHA property or personnel is permitted.

All requests to scout are to be directed to the Department of Communications. Approval for scouting requests is given verbally to the production company location scout by the Department of Communications.

The Department of Communications makes notification to the respective Borough Management office, which in turn, notifies the Housing Manager or Superintendent of the decision to allow scouting.

Production companies are allowed to scout rooftop locations as long as they are accompanied by a member of the development staff.

If a location scout requests to view any apartments, occupied or otherwise, they must be accompanied by a member of the development staff. An occupied apartment cannot be entered without resident permission.

III. Approval For Production On Housing Authority Property

An individual or production company is required to submit a Letter of Intent that provides a brief synopsis of the story and responds to specific questions concerning the date, time and place of the proposed production. If the Letter of Intent is approved, the individual or production company must obtain a Certificate of General Liability Insurance and a permit from the Mayor’s Office of Film, Theatre &

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Broadcasting before the New York City Housing Authority will issue a Letter Agreement for production on NYCHA property.

A. Approval Process

1. Letter of Intent

An individual or production company wishing to produce any type of feature film, television programming (for cable or network broadcast), music video, student or government production or conduct still photography must submit in writing a detailed Letter of Intent. This letter must be submitted seven (7) to ten (10) business days prior to the intended start date. The New York City Housing Authority reserves the right to automatically deny approval of any request submitted later than the seven to ten day time constraint. The Letter of Intent must contain the following:

- a. Synopsis of production
- b. Name of development where shoot will take place
- c. Date(s) of proposed shoot
- d. Time(s) of proposed shoot
- e. Specific area within the development wishing to be utilized (e.g. apartment address and number, basketball court)
- f. Number of persons in cast and crew
- g. Plans to temporarily alter property
- h. Type of production (Documentary, Feature Film, etc)
- i. Production Company Name
- j. Contact Person and Telephone #

The Letter of Intent must be sent to a Department of Communications media service technician. Upon receipt and initial review, the Letter of Intent is forwarded to the Director of the Department of Communications, or his/her designee, who either gives preliminary approval to the project or denies it. The Department of Communications forwards a copy of the Letter of Intent, with a note indicating its approval or disapproval, to the Mayor's Office of Film, Theatre & Broadcasting. This prevents the Mayor's Office of Film, Theatre & Broadcasting from issuing a permit for a production that the New York City Housing Authority has denied.

2. Certificate of Insurance

- a. A Certificate of Comprehensive General Liability Insurance must be presented to the Department of Communications with the "New York City Housing Authority at 250 Broadway" named as the *Additionally Insured*. No certificate is accepted without this wording.

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- b. The Certificate of Comprehensive General Liability Insurance covering the New York City Housing Authority must be for a minimum of \$1,000,000 per incident, and \$2,000,000 in the aggregate. Additionally, worker's compensation insurance must be obtained for all employees of the Licensee, and employer's liability insurance must be obtained as well. Automobile liability insurance for vehicles used in connection with the production must be obtained with coverage of at least \$1,000,000 per occurrence for bodily injury and property damage.
- c. A copy of the Certificate of Comprehensive General Liability Insurance is distributed to NYCHA's Risk Finance Division.

3. Mayor's Office of Film, Theatre & Broadcasting Permit

In addition to an approved Letter of Intent and Certificate of Comprehensive General Liability Insurance, an approved Mayor's Office of Film, Theatre & Broadcasting permit must be obtained and forwarded to the Department of Communications. This permit must be signed and dated by all appropriate personnel in order to be accepted by the New York City Housing Authority.

4. Production Letter Agreement with NYCHA

- a. Provided that the requirements for the Letter of Intent, Certificate of Comprehensive General Liability Insurance and the Mayor's Office of Film, Theatre & Broadcasting permit have been satisfied, and the New York City Housing Authority has given its approval, NYCHA then issues a Letter Agreement to the production company or individual. This Letter Agreement sets forth the terms and conditions under which the production will take place. It names the development and the specific area(s) within the development being utilized for the production. It also indicates the date(s) and time(s) for the production, as well as the company or individual being granted permission.
- b. The Letter Agreement must be signed by the Director of the Department of Communications, or designee, on behalf of the New York City Housing Authority and the production company or individual.
- c. Both the Department of Communications and the production company or individual must maintain executed copies of the Letter Agreement. The Manager of the development is faxed an executed copy of the Letter Agreement for their files.

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IV. Time Frames

Due to the nature of the Approval Process, the Department of Communications requires a set amount of time to review and process the necessary paperwork. A production company or individual wishing to film, videotape or engage in still photography on New York City Housing Authority grounds must begin the approval process a minimum of seven (7) to ten (10) business days prior to their scheduled start date. NYCHA reserves the right to deny approval to any request filed later than the 7-10 day time frame. Exceptions to this policy can be made only by the Director of the Department of Communications.

V. Role of the Borough Director and Housing Manager

- A. The Department of Communications contacts the appropriate Borough Director during the Approval Process and advises them of the proposed production. The purpose of this contact is to obtain input from the Borough Director to determine if there may be any conflicts or situations which may necessitate a change in the shoot date, time, or location. At this time, the Borough Director may also raise any other objections or concerns as they relate to the production.
- B. The Housing Manager shall assist the Department of Communications in determining potential overtime costs as they relate to development staff who may be required to work additional hours as a result of the production.
- C. If necessary, the Borough Director makes provisions for appropriate staff to be present while the production is taking place in order to assist with any needs or last minute requests that the production company may have.

VI. Location Fees

The Housing Authority charges a minimum daily location fee for the right to use its properties for any type of film, television production, or still photography. For purposes of this fee, a day is defined as from 0 -12 hours. Any shooting which continues past 12 hours is automatically considered a second day. The Housing Authority reserves the right to charge additional amounts or fees above and beyond those listed, depending on the nature of the production and other factors. Exceptions to this location fee schedule can be made only at the discretion of the Director of the Department of Communications. The fee schedule is found in Appendix B of this procedure.

Location fees are payable to the New York City Housing Authority and must be paid prior to the first scheduled production day. Production work is not allowed to commence until payment in full is received. If, for some reason, a production finishes on New York City Housing Authority property earlier than anticipated, any amount overpaid will be reimbursed to the production company or individual by NYCHA in a timely manner.

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In addition to the location fees, production companies or individuals may make a donation directly to NYCHA. We emphasize that all donations are voluntary and at the discretion of the donor.

VII. Overtime Reimbursements

The film or television production company must reimburse the New York City Housing Authority for any and all overtime incurred by NYCHA personnel. All reimbursements are handled in the following manner:

- A. The Housing Manager determines the number of staff necessary and additional hours to be worked by each staff member. This information is forwarded to the Department of Communications.
- B. The Department of Communications calculates the dollar amount of overtime costs based on the formulas in Appendix A of this procedure.
- C. The anticipated costs of New York City Housing Authority personnel overtime is forwarded to the production company by the Department of Communications.
- D. The production company submits a check in the amount specified, made payable to the New York City Housing Authority and forwarded to the Department of Communications, 250 Broadway, 12th Floor, New York, NY 10007, prior to the first scheduled shoot date.
- E. If the production company is unable or unwilling to reimburse the New York City Housing Authority for the cost of the anticipated overtime, and is unable to re-schedule production times so as to not incur overtime charges, NYCHA shall stop the approval process and will not issue a Letter Agreement.
- F. If the production company incurs overtime for NYCHA personnel due to unforeseen circumstances, the Housing Manager will then determine the overtime costs and will forward this information to the Department of Communications, which shall be responsible for obtaining reimbursement from the production company.

VIII. Content

The New York City Housing Authority reserves the right to make certain stipulations in regard to the content of scenes being filmed, videotaped, or photographed on its property. Elements of such scenes, which portray the Housing Authority negatively or are considered to be inappropriate, may prevent the Letter Agreement from being approved.

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IX. Non-NYCHA Contracts And Releases

It is the policy of the New York City Housing Authority not to sign or agree to any other production contracts or releases provided by an organization wishing to videotape, film, or produce still photography on New York City Housing Authority property. No resident or employee of the New York City Housing Authority is required to sign or agree to any other contract except the Letter Agreement provided by the New York City Housing Authority.

X. Production Guidelines

The New York City Housing Authority provides the following guidelines to be adhered to by the production company:

A. Before the Production

To prepare the residents and the neighborhood for the production, the production company is expected to do the following:

1. Familiarize themselves with the neighborhood and to be considerate of schools, churches, senior centers, funeral homes, etc.
2. Post letters on NYCHA premises to notify residents and development staff of the dates and times of the production. The letters should outline how production may affect the residents' normal routines and must include production office contact names and phone numbers. These letters must be posted in lobbies and on light poles.
3. Provide blackout material for residents' windows for night exterior shoots if it is possible that lighting may spill over into apartments.
4. Assure businesses that you will allow customer access and all regular deliveries.

B. During the Production

The production company is expected to continuously monitor the production to ensure safety and to minimize the inconvenience imposed on residents. They should:

1. Not block buildings or keep equipment in front of buildings that are not directly involved with the shoot.
2. Be sensitive to neighborhood needs while holding parking spaces for their own staff and to be aware of and respect special parking areas, such as handicapped parking or moving van access zones.

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3. Not park generator trucks in front of the buildings and never leave truck engines idling under residents' windows.
4. Make certain that trucks and campers fit under trees to avoid damage to branches.
5. Not hold or block traffic without a police officer. The NYPD Film Unit exists to work with the production company on traffic and security needs.
6. Keep noise to a minimum when arriving in a neighborhood before 7:00 AM or filming past 10:00 PM.
7. Ensure safe pedestrian passage through and around the set by covering cables with mats, and not allowing crew members to congregate in pedestrian passageways.
8. Remind crews to speak courteously to residents.

C. After the Production

The production company must restore the area to its original condition. They must make a clean sweep of the area to ensure that nothing is left behind, including equipment, garbage, all resident letters, parking signs and Vehicular Tow Unit (VTU) signs that the production posted.

If any NYCHA or resident property has been damaged, such damage should be reported as soon as possible to the Housing Manager or Superintendent. The Housing Manager completes the form, *Occurrence Report*, NYCHA 128.024, and submits the form to the Department of Communications who will then forward all information and documentation to NYCHA's Risk Finance Division.

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**Appendix A – Overtime Rates For Housing Authority Personnel
as of September 2, 2008**

Overtime expenses are most likely to be incurred, as a result of Film and Television Production, for employees in the following titles. Human Resources Department should be contacted for overtime rates if other titles are involved.

- 1) Caretakers with a classification of “G” receive overtime wages of \$25.94/hour. “J” classification caretakers receive overtime wages of \$26.73/hour. If any work is performed on a Sunday or holiday, a “G” caretaker will receive \$30.26/hour, and a “J” caretaker will receive \$31.19/hour
- 2) Caretakers with a classification of “X” receive overtime wages of \$27.81/hour. If any work is performed on a Sunday or a holiday, the rate is \$32.45/hour
- 3) A Groundskeeper Supervisor receives overtime wages of \$36.69/hour. If any work is performed on a Sunday or a holiday, the rate is \$42.81/hour
- 4) A Caretaker Supervisor receives overtime wages of \$37.73/hour. If any work is performed on a Sunday or a holiday, the overtime rate is \$44.01/hour.
- 5) An Assistant Superintendent receives overtime wages of \$43.49/hour, including Sundays and holidays
- 6) A Superintendent receives overtime wages of \$53.35/hour, including Sundays and holidays.
- 7) A Manager receives overtime wages of \$54.86/hour, including Sundays and holidays
- 8) A Maintenance worker receives overtime wages of \$34.02/hour, including Sundays and holidays.
- 9) An Elevator Maintenance Team, consisting of one elevator mechanic and one helper, shall be paid at the rates of \$110.68/hour for work from 12:00am – 8:00am, \$55.34/hour from 8:00am – 4:30pm, and \$83.01/hour for work from 4:30pm – 12:00am. If any work is performed on a Sunday or a holiday, the team shall be paid at the rate of \$110.68/hour, regardless of the shift.

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10) An Electrician receives overtime wages of \$66.00/hour, including Sundays and holidays.

11) A Housing Assistant receives overtime wages of \$35.61/hour. If any work is performed on a Sunday or a holiday the rate is \$41.55/hour

12) Clericals receive overtime wages of \$22.41/hour. If any work is performed on a Sunday or a holiday, the rate is \$26.15/hour

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Appendix B - Minimum Location Rates

- 1) Feature film shot on 35mm film or high-definition videotape
\$1,000.00/day - \$5,000.00/day
- 2) Feature or limited-release film shot on 16mm film or other digital format -
\$750.00/day - \$3,000.00/day
- 3) Television production for network or cable broadcast -
\$500.00/day - \$2,000.00/day
- 4) Still photography - **\$350.00/day** - \$1,000/day
- 5) City, state or federal government programming -
\$250.00/day - \$500.00/day
- 6) Productions for Internet distribution only - \$250.00/day
- 7) Student production (with proof of student status from a recognized school) - **\$25.00/day** – \$50.00/day

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