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TO OUR READERS

The real estate market might jig and jag and developers may stop and start on their projects, but one thing seems to remain consistent from the vantage point of a building inspector is accidents. A delivery person bringing a pizza to a building slips on a patch of ice on the front steps and breaks his leg. A pipe bursts, flooding several tenants' apartments and triggering growth of dangerous mold in their drywall. A fire breaks out in a building where the fire escapes are cluttered with plants, bicycles and beach chairs and...you can tell where this is going.

We here at Accurate Building Inspectors have heard about the entire gamut of property-related accidents, ranging from the minor to the truly tragic, and many of them could have been avoided by carefully heeding the responsibilities of a property owner. Although by no means comprehensive, Alvin and Lawrence Ubell review the terms of an owner's responsibility in this issue, and encourage all property owners and their representatives to read this list and adhere to it closely, lest there be disaster down the line.

Also in this issue are some brief tips on how to maximize the heat-capability of your fireplace, if you have one, and some good news from the Department of Energy on what you might be able to expect from your winter heating bill this year.

As always, from all of us at the Gotham City Inspector and Accurate Building Inspectors thanking you again for your support.

ALVIN & LARRY UBELL - The Gurus of How-To can be heard on **The Leonard Lopate Show**. Tune to WNYC-Radio the second Wednesday of every month from 12 Noon to 2 PM. Radio AM 820 - 93.9 FM. <http://www.WNYC.org>.



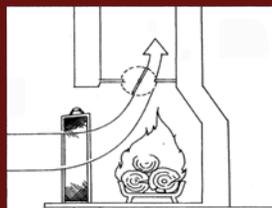
BALM FOR THE WINTER HEATING BILL BLUES



The federal Energy Department has forecast that the average U.S. household will spend \$960 for space heating during this winter's heating season, an 8% decrease

from last year. Most of the savings will likely be attributed to lower fuel prices, particularly for natural gas, which is experiencing a price slump due to a growing supply that currently exceeds the demand. Propane is produced during natural gas processing, so propane inventories are also higher than normal. As a result, households heated with these fuels will achieve the greatest savings this winter, with natural gas users seeing a 12% decline in winter heating bills and propane users seeing a 14% decline. Those using heating oil or electricity are projected to experience more modest declines of about 2% from last year. ●●●

FIX THAT FIREPLACE



Heated room air escapes upward with your open fireplace flue damper.

Remember those knights and ladies in that European castle practically standing in their giant, walk-in fireplaces to keep warm? Well, the warmest part of the castle was really the flue, because that's where most of the heat went. It's not too different today. Unless you live in the flue, you don't get a lot of heat from

your fireplace. That cherry fire may warm your heart on a cold winter night, but unless you take certain steps, that's all it'll warm. If you're lucky enough to have a fireplace, try to...

- Close the damper all the way when the fireplace isn't in use, and have a damper installed if your fireplace doesn't have one.
- Buy glass fireplace doors to block the exit of room heat up the flue, enabling you to go to bed with a fire burning and the flue open.
- Use a wood-stove fireplace insert, which makes wood fire much more efficient and heat producing. ●●●

PUBLIC SERVICE ANNOUNCEMENT



As local classical musical diehards already know, in October, the city's storied WQXR moved from its longstanding home on the dial, 96.3 FM, to its new spot, 105.9 FM. The nation's oldest commercial classical music radio station was acquired by WNYC from the New York Times, and thankfully, besides that little crawl up the dial, little about it has changed! ●●●

KEEPING CRISES AT BAY: A BRIEF SYNOPSIS OF OWNER RESPONSIBILITY

By Alvin Ubell & Lawrence Ubell

For the many years that we've been rendering expert testimony on matters of personal injury related to incompetent building maintenance and defects, a common denominator has come up time and time again: the owner's responsibility and liability for the care of property. Property owners are generally expected to maintain their property — be it residential or commercial, occupied or vacant, a structure or land — in a way that protects all those who live, visit or work there, and sometimes in ways that the owner is not even aware of. Being unaware of the law, however, is a poor excuse for not abiding by it.

Buildings are dangerous places that may have sharp corners, perilous stairs, heavy doors, broken windows, slippery floors, and loose debris, open wiring, vermin infestation and many more potential hazards. Injuries or even deaths within one's property can often lead to legal proceedings and significant financial losses for an owner.

Much injury can be avoided, however, if owners adhere meticulously



to maintenance obligations for their property.

We believe, with a reasonable degree of building inspection certainty, that if the following list of maintenance requirements be observed it will ultimately prevent such injury and death and ultimately save you money, time and headaches. This is by no means a comprehensive list of actions to take, but a good starting point meant to enlighten and inform owners and those who represent them, including managers, superintendents, stationary engi-

neers and all others who are responsible for a building's care.

GENERAL

- **POLICE ALL PARTS** of the building and grounds.
- **Take note of** all defects and have them corrected in a timely manner.
- **Check all stairs** and ramps for defects, water, debris, missing or loose handrails and guardrails.
- **Provide proper containers** for garbage collection and have them removed regularly.
- **Post a conspicuous** schedule of regular safety and repair inspections in the building for all caretakers to see.
- **Accidents, mishaps, injuries,** vandalism, thefts, or illegal acts accruing on the property by anyone to anyone, no matter how slight, should be noted and recorded by the caretaker on site and must note the time.
- **Have licensed vendors,** such as electricians, plumbers and heating



equipment mechanics, present their license numbers and carefully document their work.

• **Every violation issued** to the building must be corrected in a timely manner and all fines must be resolved. Procrastination of violations and fines could lead to heavier penalties and increased liabilities.

EXTERIOR

• **Remove snow and ice** from all exterior walkways, stairs and ramps and inspect for possible slippery areas. Apply salt or appropriate additives to prevent a slip mishap.

• **Keep grounds, walkways,** roadways, stairs, ramps, terraces, etc. clean and in good repair.

• **Correct ground rainwater** ponding.

• **Check roof areas** weekly for all debris, and keep all drains, drain catches, gutters and leaders clean and secure.

• **Repair or remove** loose or missing elements on the building's façade.

INTERIOR

• **Sweep and dry** mop all public spaces as required.

• **During inclement weather,** close all roof doors or hatches, close all public hall windows, dry mop stairs, platforms, ramps, halls, corridors, particular entry and exit doorways and corridors. When appropriate, place weather walking mats and properly secured runners in areas that are prone to water accumulation.

• **Stairs and ramps** shall be maintained in a manner consistent with good and accepted standards. All steps shall be consistent (equal) from the foot to the head of the stair. All broken or worn treads shall be repaired or replaced in a timely manner. All handrails shall be well secured and have a finger clearance of at least 1¼ to 1½ inches. Any loose or broken stair shall be repaired immediately.

ARCHITECTS & ENGINEERS:

• **Insure that no** alteration to any part of the building, including walls, stairs, ramps, exit doors and fire suppression systems, is performed without certification by an architect or engineer.

Fire Safety

• **Test smoke and fire detectors** as per manufacturer specifications or when the unit signals for replacement.

• **Check exterior fire** escape systems, gables, stairs and ladders must be checked for corrosion, loose, missing and broken sections and have them repaired.

• **Remove air-conditioning units** blocking access or protruding onto fire escapes.

• **Have all items** stored on fire escapes removed.

• **Scrape and paint** fire escapes periodically.

• **Clean and clear** obstacles from all exits and means of egress.

• **Have fire sprinklers** checked by a licensed firm.



HEALTH

• **Vermin control is** vital in all buildings, no matter their use.

• **Maintain all waste** piping systems and sewage disposal system in a safe manner consistent with good and accepted standards.

• **Insure that all** potable water supply systems used directly for washing machines, irrigation, mechanical equipment, boilers and fire suppression systems have an approved backflow protector at the source.

MECHANICALS

• **All elevators and** elevator doors, tracks, hatch doors, vision panels must be cleaned and checked daily.

• **Maintain elevators and** escalators with a licensed contractor.

• **Clean and maintain** all heat and air-conditioning equipment in a safe and proper manner, as per manufacturer specifications.

• **Keep all tools,** equipment and devices clean and stored in a safe locked area to prevent unauthorized persons

and children from their use.

• **Repair, replace or** discard any defective tools, equipment and devices.

• **Use only licensed** electricians and plumbers.

• **Attend to any** flooding immediately by stopping the water source, pump out all water accumulation, drying and ventilating the affected area.

WINDOWS & DOORS

• **Check and repair** all windows for leaks, broken glass, broken defective balance mechanisms, cranks, gears, tracks, locks, latches, should be lubricated if required.

• **Check all doors** for defective locks, latches, fast acting door closers, chaffing, loose or broken hinges; repair if necessary.

• **All buildings with** young children must have child window guard protection with approved window guards on all windows, except firescape windows.

PUBLIC FACILITIES

• **Clean and maintain** lavatories under the control of the building maintenance or which patrons or the public can access. Control overflows or blockages.

The Authors would like to thank Deborah Fromberg of David Associates, for her input and support! ...

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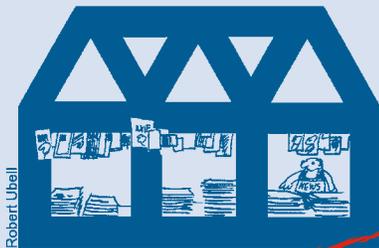
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H E A D L I N E S



Robert Ubell

READ ALL ABOUT IT!

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- **FIX THAT FIREPLACE \$\$ IN THE BANK OR UP THE CHIMNEY?**
- **OWNER RESPONSIBILITY**