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A Division of Ubell Enterprises, Inc.

Established 1961

1860 Bath Avenue

Brooklyn, NY 11214

voice—[718] 265.8191

toll free voice—[800] 640.8285

fax—[718] 449.7190

www.accuratebuilding.com

inspector@accuratebuilding.com

**LAWRENCE J. UBELL\*** - President

**ALVIN UBELL** ✓ - Founder Vice President

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**STANLEY TURKEL, MHS, ISHC & BERTRUM HERMAN, ESQ**

**HOWARD KURTZBERG, ESQ**

✓ Licensed in: Connecticut & Massachusetts

\* Licensed In: New Jersey, Connecticut & Massachusetts

If there is a subject that you would like to see discussed or an article that you would like to contribute to be featured in The Gotham City Inspector, please forward it to Lawrence Ubell at the above address. All articles submitted will get appropriate recognition.



**Accurate Building Inspectors<sup>®</sup>**  
 1860 Bath Avenue  
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**HEADLINES:**

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# THE · GOTHAM · CITY INSPECTOR

Accurate Building Inspectors® Newsletter . Volume 2 Number 3 . Winter 2005  
Controlled Circulation: 7,800

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## TO OUR READERS

We've already had the "Blizzard of '05" and there may be more snow to come over the next few months. When the weather outside is frightful, it's nice to come home to a well heated house or apartment. The danger for some is that "well heated" can mean too hot—and too expensive, especially in light of the recent spike in oil prices. In this month's tip for *Saving Energy*, we give you some guidelines on how to heat your home comfortably and affordably.

People aren't the only ones who enjoy a warm home in the winter. So do your friendly neighborhood squirrels. In *Inspector's Diary*, Larry Ubell shares his solution for keeping your attic squirrel-free.

It's a rare day in winter when we open the windows and refresh the air in our homes—all the more reason to make sure your newly installed carbon monoxide alarm—which is now required by law—is working properly. Read *House Proud* for the specs.

In this issue, we welcome contributing editor Howard Kurtzberg. He calls on his many years of experience as a real estate attorney to discuss a broker's role in choosing the professionals you'll need when you buy or sell a home.

And finally, we here at the Gotham City Inspector are very proud of *AccurateBuilding.com*—the new and improved website of Accurate Building Inspectors. We hope our interview with website designer Olivier Massot will not only help you if you are interested in creating your own website, but will entice you to visit ours.

As always, we appreciate your questions and comments. Bundle up! Remember, Spring is just around the corner!

Sincerely,

Emily Hoffman,  
Editor

## SHOULD YOU ACCEPT REFERRALS FROM A REAL ESTATE BROKER FOR AN ATTORNEY AND HOME INSPECTOR? BY CONTRIBUTING EDITOR, HOWARD KURTZBERG, ESQ.

You just found the home of your dreams. Whether this is the first home you will ever purchase or the last, you will need a team of real estate professionals before you sign a contract to purchase. Often, if a real estate broker is involved in the purchase, he or she proceeds to tout the virtues of an attorney and a home inspector he or she knows.

Should you take this advice?

Most of the times, the answer is clearly "no."

You certainly are not required to follow the real estate broker's recommendations and you should feel under no obligation to do so. As a consumer, it is always advisable to compare costs and (most importantly) services that any professionals may offer to you.

Many times the real estate broker you are dealing with represents the seller. Seller's brokers are, more often than not, more concerned with the sale. The basic objective is to obtain a signed contract of sale and to complete the sale. A conflict of interest exists when a broker recommends an attorney or home inspector. There is too much room for possible "short-cuts" or even collusion.

With many sellers listing their homes without using the services of a real estate broker, and with the advent of discount brokers, the competition for business is fierce. While the broker has a fiduciary responsibility to act fairly and honestly, judgment can sometimes be clouded by the prospect of a commission due and payable at closing. Although a buyer can retain his or her own broker, you can and probably should hire your own independent attorney and home inspector.

The Code of Ethics and Standards of Practice of the National Association of Realtors (originally adopted in 1913, amended from time to time at an annual convention, as effective January 1, 2004, the "Code") does not specifically address the issue of referrals and other professionals. There is, though, a requirement that brokers "treat all parties honestly" (Art. 1 of the Code) and a requirement for a recommendation that "legal counsel be obtained when the interest of any party to the transaction requires it" (Art. 13 of the Code). The broker should, then, indicate that a lawyer should be consulted. It is the recommendation of a specific lawyer which, at minimum, gives rise to the appearance of impropriety.

The same thing can be said regarding a home inspector. A professional home inspector does an objective examination of the home and is not subject to the stress, emotion and anxiety which often distract the purchaser who is trying to decide whether or not to buy a new home. You need to hire an attorney and a home inspector who can exercise independent judgment and is beholden to no one.

If you have any questions regarding the conduct of your real estate broker, you may contact your State licensing division.

*Mr. Howard Kurtzberg, has been a practicing attorney since 1983, concentrating on real estate matters. His office is located in the town of Jericho, New York.*

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@12:00noon. Radio AM 820 - 93.9 FM  
<http://www.WNYC.org>.

## SAVING ENERGY: TURN DOWN THAT THERMOSTAT!

You've got a down comforter...maybe you like to wear flannel pajamas...or, if you're lucky, you've got someone close to keep you warm. In any case, making the switch from a warm bed to a not so warm kitchen or bathroom in the morning can sometimes seem like a shock. It's a temptation, but whatever you do, don't push that thermostat up to 85 degrees to take the chill out of the house.

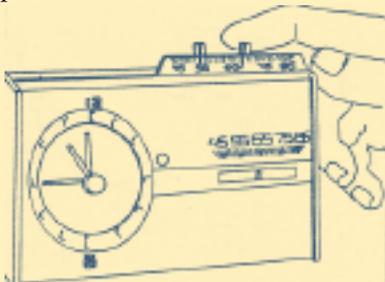
A heating thermostat does not work like the gas pedal on your car. Pushing it up to 85 degrees does not make the heat come up any faster than if you set it at 68. What you will do is overheat your house and waste your energy dollars.

The thermostat is the brain of your heating system. It is actually a switch that turns the heating system on and off as it measures the temperature around it. It turns your furnace on when the temperature drops below a pre-set comfort level and it turns the furnace off when the comfort level is satisfied.

At night, when you're under the covers, you can drop the temperature even further. If necessary, you can plug in an electric blanket. It costs less to heat a bed than to heat an entire house!

Many people believe that it doesn't pay to lower the thermostat at night because it takes extra energy to warm the building up to a comfortable temperature in the morning. That's just not true. Turning down the thermostat at night can save you anywhere from 10 to 15 percent on your heating costs.

Better yet—get that special someone to knit you a sweater—wearing an extra layer around the house this winter can mean a big savings on your heating bill. The rule of thumb is, for every degree you lower the thermostat temperature; you will save 2 to 3 percent of your energy cost for that period.



Lower Your Thermostat

## HOUSE PROUD: CO DETECTORS, WELCOME HOME!

On November 1, of last year, Local Law 7 of 2004 took effect in New York City. If everyone who was supposed to get a carbon monoxide detector followed the law, it means at least 2.8 million carbon monoxide detectors were installed in homes and apartments.

The Gotham City Inspector has always encouraged people to use carbon monoxide detectors. But now that it's the law, it's more important than ever for consumers to understand the required device.

Here are some tips:

- Make sure that your device is UL listed. This means that Underwriter's Laboratory has tested its viability. It must be functional and operational.
- Stay away from non-brand name devices. There are some devices that are manufactured in other countries that do not have the reliability of UL listing. The label may mimic a UL symbol...but if it's not the real thing, you can't be sure that there has been quality control in the manufacturing process.
- There are battery operated and plug in types of CO detectors. This law requires that the battery operated ones have alarms on them. Just like with a smoke alarm, if your CO detector's battery is low, it should let you know, and you should immediately replace the battery.
- There is a test button on the device. You don't even have to climb on a chair to see if it's working. Take a broomstick and press the button on the alarm. The alarm will sound and then shut off on its own.
- The CO detector should be placed in the room or hallway outside of the bedrooms. It can be installed at any height. Combination units, which serve as both smoke and carbon monoxide alarms must be put on the ceiling. Any detector must be placed within 15 feet of each bedroom and one for each dwelling unit. If you have more than one bedroom and they are not next to each other, you should have more than one detector.
- If an alarm sounds, open a window, check on family members, vacate the area and call 9-1-1.
- If you think you have been exposed to carbon monoxide, see a doctor right away. Symptoms can mimic the flu.
- Get a professional to find the suspected source of CO leakage and get it fixed immediately. Don't return to the premises until it is all clear.



## INSPECTOR'S DIARY: FINALLY! A DETERRENT FOR "A-GNAWING" SQUIRRELS

Winter's here and it's so nice to come into a warm and cozy home when it's cold or snowing outside. You think so? So do your neighborhood squirrels. Unless you've given them a front door key, the most likely way squirrels will get inside a house is by *gnawing* their way in. Wood, aluminum, vinyl, asphalt shingles—they're no match for a squirrel's incisors, especially if there's already an established nest in the attic.

But after much experimentation, Larry Ubell says he may have found an answer:

"Expanding Foam. It is typically used for insulating purposes (filling in the gaps around walls or windows to stop drafts). The inexpensive foam, which you can find in any hardware store or home center, can be applied into the crevices in the eaves where it will expand to fill in

the spaces that squirrels seek out as access points to the attic.

"They take one bite out of the foam and run in the other direction. I've never tried it, but I'll bet it tastes pretty bad. I had a family of squirrels living in my attic; I used the foam and now they're gone."

And it's easy to use. It comes out of the can like whipped cream. Once it solidifies (which takes about 2-3 hours), you can trim it with a knife or paint it.

To get it off your hands, use nail polish remover. Better yet, when you work with it, wear gloves and long sleeves.

One last note: Make sure all the squirrels are out of the attic before you start the work. Go up there and rattle around before you start and

they should run away. And if you do corner one, remember: It's against the law in New York to kill squirrels. Capture them and release them someplace far away...preferably in another borough!



## SPINNING A WEB THAT WORKS: AN INTERVIEW WITH OLIVIER MASSOT

A new website that best reflects our business and services...easy to navigate and good looking too: that was the goal we set for Olivier Massot last year. Working with this creative young web designer was a fascinating and fruitful process. The Gotham City Inspector (GCI), asked him to share some of his insights about web development and design:

GCI: What are some of the major considerations in designing a website?

OM: It all stems from what's called information visualization. That means you focus on what a person or business can offer and then imagine how to present that information in the most relevant way to the potential customer. For Al, Larry and Matthew, there was an expectation to make the website user friendly. Ease of searchability was a major factor.

GCI: Accurate Building Inspectors already had a website, [www.AccurateBuilding.com](http://www.AccurateBuilding.com), so you weren't starting from scratch. What were some of the things you wanted to improve?

OM: Their initial home page and site was a visual of the catalog...it was very static and not particularly searchable and understandable. So I worked with them to help identify the strengths of the company. It's important for the customer to see what they are getting when they come to us. Their needs come first.

So now, the home page is broken down into three major categories—Inspections, Legal Support and Commercial Testing. The searches branch out from there. It's like a tree: a decision tree.

Then we wanted to include their other activities—the radio show, the newsletter and other publications. And, of course, you then want to present the information in a way that shows it is all related.

GCI: What about links? That's important too, isn't it?

OM: Without question, the links are critical to the vitality of the website. In the case of ABI, we wanted to link to things like the radio show and a sample inspec-

tion report, but I also wanted to make their website "Google-friendly." I improved the underlying computer language of the site so that if a lawyer searches on Google for "inspection" or "home," the ABI website comes up.

GCI: What about aesthetics? Where does that come into play?

OM: Actually, that's important, but it comes last. First you have to design that information architecture—the tree—then, put the "leaves" on that tree—considerations like colors and font size. The decorations should make the website visually appealing as well as relevant to the service you're providing.

GCI: The website is up and running...is it finished?

OM: For the moment, yes...but I definitely see it as a work in progress. Unlike a book that is set in type when it's finished, with a website you can constantly make modifications and improvements. I welcome the comments and suggestions of visitors to the site. They can email me at [om277@nyu.edu](mailto:om277@nyu.edu).

GCI: That's great. What's next for you? More website designs?

OM: Absolutely. More information architecture, more computer programming. Through programming, you can design websites that are dynamic...constantly updated and changing.

GCI: Well, we think this one is pretty dynamic! Thanks, Olivier.

OM: Thank you.

*Olivier Massot just finished his Masters degree in Interactive Telecommunications from the Tisch School of the Arts at New York University. It's an interdisciplinary degree that not only teaches people to design websites, but also involves the use of technology in the arts and industries. There are many possible applications: artists can design a schematic of their ideas and doctors can explore new ways to visualize and understand the human body.*

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