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LEAD STORIES:

- NYC BUILDING CODE MAKEOVER
- TENANTS' RIGHT TO REPAIR
- WHO ARE THE MORTGAGE PLAYERS?
- WINDOW SCREEN EASY FIX
- BUILDING MANAGERS BLOCK INSPECTORS
- JURY DUTY...A RIGHT OR AN OBLIGATION?



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TO OUR READERS

Summer's here and at a time when most of us are winding down, the city appears to be gearing up for some major changes. In our *Living in New York* department, we look at a landmark set of revisions to New York City's building, fire, plumbing and electrical codes—the first time ever in the city's history that these codes will get a major overhaul - all at the same time.

In our *In the News* department, tenant advocates are pushing for a "Right to Repairs Bill" that could change the way city inspectors work. We'll take a look at that and offer our thoughts on it too.

Thanks to screens in windows and doors, on those not-so-hot summer days, you can turn off the A/C and let a few breezes in. This issue's *Recipe for Home Repair* makes sure you're not letting in any annoying insects as well.

If you're thinking of getting a mortgage, you'll want to read the article by this issue's contributing editor, Ari Saltz. He brings his expertise as a mortgage consultant to a discussion of how to make the process of getting a mortgage as simple as possible.

And finally, in *Inspector's Diary*, Al, Larry and Matthew explain why, when you're interested in buying into a co-op or condo, inspecting just the apartment is only half the story.

The Gotham City Inspector welcomes your comments and contributions. And have a great summer!

Sincerely,
Emily Hoffman,
Editor

LIVING IN NEW YORK—NEW YORK'S CODES GET A MAKEOVER

An article in the May 17th New York Times announced that New York City is undergoing the most comprehensive rewriting of its building, fire, plumbing and electrical codes since the first ones were enacted over a hundred years ago.

There's no doubt these changes will have a major impact. Thirteen committees of engineers, safety experts and real estate developers appointed by the Mayor are in the process of drafting changes expected to range from life and death issues (like fire sprinklers and the lighting in emergency stairways) to everyday matters (like allowing homeowners to save money by using plastic pipes for toilets and sinks).

Perhaps the most controversial aspect of these changes is that the city plans, for the most part, to adopt *national standard codes* rather than maintain the codes that were developed specifically for New York—a city like no other.

As the panels weigh which parts of the old code to preserve, some members are concerned that an overreaction to 9/11 may compromise the effort to modernize the codes.

For example, the Buildings Department has already asked the City Council to require that exit doors and stairs in all high-rise office buildings have photo-luminescent markings and backup power for lights so that workers are not caught in the dark as they are trying to get out. Stronger, more impact-resistant walls would also have to be built into the stairwells of new buildings, to prevent all exits from being cut off in an explosion.

In contrast, the International Building Code would allow developers of many new buildings to use *less* fireproofing than is now required—a change that would save developers considerable sums of money. The rationale is that if a new building must have sprinklers, as most tall office buildings in New York City are now required to, it should not need as much fireproofing.

The current buildings commissioner, Patricia J. Lancaster, acknowledges the need to balance safety and cost savings. Despite the focus on the bottom line, however, she says she is "committed to ensuring that the new code is as safe—or safer—than the code today."

The Gotham City Inspector says...

Most municipalities in the U.S. have not lived through the traumas of the big cities. For example, the Great Chicago Fire of 1871 (which lasted for three days, from October 8th through the 10th) changed the entire thinking of what constitutes urban living. They had to consider firebreaks, how close buildings should be, etc. It brought new criteria to the codes and ultimately saved lives. It is hoped the memory of those who died on 9-11 will lead to modifying certain building codes to be much more stringent. We all must understand that buildings and homes are inherently dangerous places!

Only time will tell which codes will be thrown out and which ones will remain. Elevator safety, stair design, the trip and fall process, the slipping process certainly can't be compromised. Engineers, architects, people who understand ergonomics, psycho-motor function and how people move about in the city should all be part of the decision-making process. Hopefully, we will come up with a better code that allows new buildings to be built in an economically feasible way while maintaining the highest safety standards.

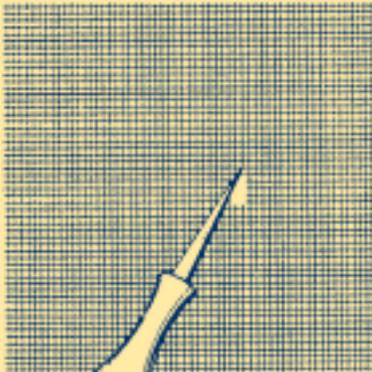
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RECIPE FOR HOME REPAIR:

When you're not using the A/C this summer, you'll want to open the windows and let the breezes in. It seems like a great idea—until you hear a fly buzzing around your head, a sign your window screen has a tear. Here's a simple solution that borrows from the wisdom of any woman who's ever had a run in her stockings:

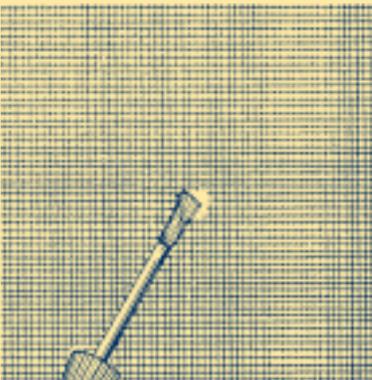
1. Straighten strands of torn area with an ice pick or awl (Fig. 46A)
2. Apply a dab of nail polish over the small hole (Fig. 46B)
3. Let dry.
4. Repeat application several times, allowing each coat to dry until hole is too small for an insect to penetrate.

A



Ice Pick or Awl

B



Nail Polish Brush

Fig 46. Repairing a Screen

IN THE NEWS:

“ROOF TO CELLAR” INSPECTIONS: TENANTS’ RIGHT OR LANDLORD’S HEADACHE?”

Tenants and tenant advocates are pushing for a new bill to transform the building inspection process. With the “Right to Repairs Bill” tenants' groups would gain the right to request and receive comprehensive “roof to cellar” building inspections. Previously, city inspectors responded only to individual tenant complaints. Tenants say while inspectors look into one complaint, they disregard other code violations in the building.

Thirty-five out of fifty-one council members sponsor the bill.

The Gotham City Inspector Says...

“Roof to cellar” building inspections could be very costly for the city. Tenants should call the Office of Housing Preservation and Development (HDP) if there is a problem...but to arbitrarily inspect an entire building is not realistic.

Even a brand new building has inconsistencies. Some landlords are truly slum lords, but many others are really doing a good job. So, the question must be asked: when is a request for a repair justifiable and when is the tenant using that code to harass the landlord? That could lead to a tenant not paying rent because every little screw and nut in the building is not exactly as it should be.

This bill requires a lot of study. There should be stipulations that protect the landlord and the city as well as the tenants. When you assign someone the right to make repair decisions, you are also giving them the right to do that in a manner *they* deem appropriate, and that may not turn out to be what is good and acceptable. Who is going to be the arbiter of these kinds of decisions? The courts are likely to be overwhelmed. How do you deal with a person who removes a toilet bowl from his apartment and sells it ...and then asks the landlord to replace it?

This can only make a judge's tough job tougher...and strain an already strained system. Proceed with caution.

INSPECTOR'S DIARY: WHEN INSPECTING AN APARTMENT IS ONLY HALF THE STORY

When you're buying an apartment in a co-op or condo, it's important to look at the services and facilities in the entire building. The real estate broker, client or attorney must contact the building management company to make sure an inspector has access to the building's vital systems—heating, sewer system, garbage disposal and roof. You wouldn't say a person is in good health without checking his or her vital organs and the same goes for a co-op or condo.

In most cases, if there are any shortcomings in the apartment itself—kitchen cabinets, wall surfaces, bathrooms—they can be changed, repaired, or adjusted by the new buyer. But if you go into a building and there's a defective heating, plumbing or electrical system, they'll be your responsibility too.

For example, we look into how a building takes care of the garbage in the base-

ment. Most people living in co-ops and condos don't go into the basement unless that's where they do laundry. The condition of a basement is often a tip-off to the way a building is managed and maintained.

When the roof goes bad or a heating system has to be replaced, the money to fix it will have to come out of the reserve fund or from an assessment, which could spell big problems for your budget.



If a management company says they don't want to give access, be wary. They may claim it's an insurance issue, but every building has insurance, and professional inspectors have it too. That's a lame excuse at best.

It's important for attorneys to know that when they recommend a home or building inspector to do a job, he/she needs to have this kind of access. The inspector should tell their client and/or the client's attorney, so they are forewarned of the pitfalls of not having a full inspection of the structure.

“HOW TO GET A MORTGAGE” BY ARI SALTZ, MORTGAGE CONSULTANT GFI MORTGAGE BANKERS, INC., BROOKLYN, NY

Obtaining a mortgage can be as simple as calling your travel agent when you are planning a vacation or as troubling as calling a doctor when you're sick. The choice is yours. Just like anything else, education and knowledge is the key to success.

The first step is to contact a qualified and experienced mortgage consultant. A good loan consultant will take the time to fully understand your individual situation, find the best mortgage to fit your needs and answer all your questions. A loan consultant that shrugs off your questions as stupid or unimportant is not the one for you.

Second, understand the difference between a Mortgage Banker and a Mortgage Broker, and how it affects you directly. A mortgage banker is an individual, firm or corporation that originates, sells and/or services loans secured by mortgages on real property. The mortgage banker closes the loan using his own funds.

A mortgage broker is a firm or individual who, for a commission, matches borrowers and lenders. The broker takes applications and sometimes processes loans, but generally it does not use its own funds for closing.

How do these differences translate for you?

Simple: Mortgage bankers have the power to make immediate decisions, because they are the bank. Mortgage brokers have to submit the loan application to an investor (bank) for approval.

Third, work with a loan consultant who knows his/her business. That is, someone who, either by personal experience or by association, has obtained a full understanding of the most commonly used loan programs, as well as unique and less common programs and products to counsel you fully.

Fourth, be prepared. Once you have been informed about all the different types of loans (full documentation, No Income No Assets, etc.) and you fully understand how they will affect your rate, term, etc., then be ready to ask questions: Will I

need copies of my tax returns? Bank statements? Recent pay stubs?

Fifth, prepare yourself to have to sift through lots of solicited and un-solicited advice. When you tell friends and family members about your mortgage, keep in mind that not every loan is the same, and sometimes “good advice” can confuse you and create unnecessary anxiety during the process.

So, as you can see, getting a mortgage can be as easy a picking up your telephone and calling your local mortgage company.

Here is a brief *Mortgage Glossary* to help you with terms you may encounter as you seek a new mortgage:

Variable Rate Mortgage (or Adjustable Rate Mortgage)—Here the interest rate adjusts periodically based on an index.

Amortization—Literally meaning “kill off” (root: mort) the outstanding balance of a loan by making equal payments on a regular schedule (usually monthly). The payments are set up so that the borrower pays both interest and principal with each equal payment.

Balloon Mortgage—Behaves like a fixed-rate mortgage for a set number of years and then must be paid off in full in a single “balloon” payment. Balloon loans are popular with those expecting to sell or refinance their property within a definite period of time.

Closing Costs—Fees paid by the borrower when property is purchased or refinanced. These can, but do not necessarily, include: a loan origination fee, discount points, appraisal fee, title search, title insurance, survey, taxes, deed recording fee and credit report charges.

Fixed-rate mortgage—A mortgage in which the interest rate does not change for the life of the loan.

Prepayment Penalt—Lenders who impose these charge borrowers a fee if they wish to repay part or all of their loan in advance of the regular schedule. They are not legal in every state.

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Sure, it interrupts your personal and business life, but serving on a jury is one of the unique privileges we enjoy as citizens. Both the Constitutions of the United States and the State of New York guarantee us the right to trial by jury when certain legal interests or liberties are at stake. You would want a jury to be there for you if you ever needed to go to trial, so when you are called, it's your turn to be there for someone else. You'll not only be fulfilling your obligations as a citizen, you'll learn something too. Sitting at home watching “Law and Order” is nothing compared to the real thing!

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