



New York APARTMENT LAW INSIDER.®

The How-to Resource for Owners, Managers & Real Estate Professionals

OCTOBER 2012

INSIDE THIS ISSUE

Model Letter: Send Cover Letter with Affidavit When Contesting Sidewalk Violation 4

Model Affidavit: Give Cleaning Schedule When Contesting Sidewalk Violation 4

Landlord v. Tenant 5

- ▶ Discrimination: Landlord Discriminated Based on Sexual Orientation
- ▶ Eviction: Tenant Substantially Complied with Order to Pay Back Rent
- ▶ Landlord's Negligence: Child Scalded by Excessively Hot Bathwater
- ▶ Rent: Landlord Can't Sue Tenant Who Abandoned Apartment
- ▶ Tenant Nuisances: Landlord Claims Birds in Apartment Caused Foul Odor

Building Management Calendar 8

Rabbi Pleads Guilty in Rent Fraud Scheme

A New York City rabbi who was fired as a Corrections Department chaplain for arranging a lavish jailhouse bar mitzvah in 2009 has pleaded guilty to making false statements in connection to a federal housing scheme.

Rabbi Leib Glanz and his brother were charged last year with theft and conspiracy for stealing \$220,000 in Section 8 rent subsidies over 15 years. Glanz pleaded guilty on Sept. 4 to a misdemeanor count that carries a one-year sentence. His brother also pleaded guilty to a theft charge that carries a 10-year term. They're scheduled to be sentenced Jan. 25. According to the city's Department of Investigation, this case was the largest individual case of tenant fraud it has ever investigated.

FEATURE

Fight Sanitation Violation Quickly and Inexpensively with Affidavit

According to the sanitation rules and regulations of New York City, owners are responsible for the cleanliness of the sidewalk in front of and adjacent to their property. The sidewalks (including areas like tree pits, grass strips, etc.) and gutter areas (18 inches from the curb into the street) along the building perimeter are required to be kept clean. And sweepings must be picked up and deposited in suitable containers for collection.

Over the years, it has become easier for anybody to report a dirty sidewalk violation, and, as a result, you may have seen a corresponding increase in New York City Department of Sanitation (DOS) notices of violation issued to you. Citizens can make a dirty sidewalk violation request on the DOS Web site or simply call the NYC Citizen Service Center at 3-1-1 to report a violation.

In addition, the DOS employs enforcement agents who patrol all areas including residential blocks at specified times and look for violations for dirty sidewalks, dirty areas, and failure to clean 18 inches

(continued on p. 2)

MANAGEMENT BASICS

Follow Four Tips to Prepare Boiler for Heating Season

The time is approaching when you'll need to get your heating system online for the upcoming cold weather. In New York City, heating season officially begins on Oct. 1. By law, owners are also required to provide tenants with heat under the following conditions: Between the hours of 6 a.m. and 10 p.m., if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit; and, between the hours of 10 p.m. and 6 a.m., if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

With heating costs rising each year, it's important for owners to make sure their heating systems are operating safely and at peak efficiency. Proper care of heating equipment not only assures maximum

(continued on p. 6)

BOARD OF ADVISORS

Dov Treiman, Esq.

Chairperson of ALI
Board of Advisors
Landlord-Tenant
Managing Partner
Adam Leitman Bailey, P.C.
New York, NY

Lewis Barbanel

Howal Management
Cedarhurst, NY

Mark Engel

Langsam Property
Services Corp.
Bronx, NY

Erez Glambosky, Esq.

Rivkin Radler LLP
New York, NY

Martin J. Heistein, Esq.

Belkin Burden Wenig
& Goldman, LLP
New York, NY

Zachary Kerr

M & R Management Co.
Brooklyn, NY

Alan Kucker, Esq.

Kucker & Bruh, LLP
New York, NY

Todd Nahins, Esq.

Borah, Goldstein,
Altschuler, Nahins
& Goidel, PC
New York, NY

William J. Neville, Esq.

Mitofsky Shapiro Neville
& Hazen, LLP
New York, NY

Fred Rudd

Rudd Realty Mgmt. Corp.
New York, NY

Blaine Z. Schwadel, Esq.

Rosenberg & Estis, PC
New York, NY

Peter Schwartz, Esq.

Graubard Miller
New York, NY

Karen Schwartz-Sidrane, Esq.

Sidrane & Schwartz-
Sidrane
Hewlett, NY

Niles Welikson, Esq.

Horing Welikson &
Rosen, PC
Williston Park, NY

Joe Zitolo

Lemle & Wolff, Inc.
Bronx, NY

Editor: **Eric Yoo**

Executive Editor: **Heather Ogilvie**

Director of Production: **Kathryn Homenick**

Director of Operations: **Michael Koplin**

New York Apartment Law Insider [ISSN 0898-2961 (PRINT), 1938-3134 (ONLINE)] is published by Vendome Group, LLC, 6 East 32nd Street, New York, NY 10016.

Volume 33, Issue 9

Subscriptions/Customer Service: To subscribe or for assistance with your subscription, call 1-800-519-3692 or go to our Web site, www.vendomegrp.com. Subscription rate: \$269 for 12 issues (plus \$17 shipping/handling). **To Contact the Editor:** email eyoo@vendomegrp.com. Call: Eric Yoo at (212) 812-8435. Fax: (212) 228-1308.

To Place an Advertisement, Please email Erin Tyler, etyler@vendomegrp.com, or call (216) 373-1217.

Disclaimer: This publication provides general coverage of its subject area. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional advice or services. If legal advice or other expert assistance is required, the services of a competent professional should be sought. The publisher shall not be responsible for any damages resulting from any error, inaccuracy, or omission contained in this publication.

© 2012 by Vendome Group, LLC. All rights reserved. No part of *Apartment Law Insider* may be reproduced, distributed, transmitted, displayed, published, or broadcast in any form or in any media without prior written permission of the publisher. To request permission to reuse this content in any form, including distribution in educational, professional, or promotional contexts, or to reproduce material in new works, please contact the Copyright Clearance Center at info@copyright.com or (978) 750-8400. For custom reprints, e-prints, or logo licensing, please contact Donna Paglia at (216) 373-1210 or dpaglia@vendomegrp.com.

Sanitation Violation (continued from p. 1)

into the street. Enforcement agents will issue notices for these violations only during two specified one-hour daily routing time periods; they may issue notices for all other violations at any time. These residential routing times citywide have been set at 8:00 a.m. to 8:59 a.m. and 6:00 p.m. to 6:59 p.m.

The typical fine for a dirty sidewalk violation is \$100, and most owners simply admit it, pay the mail-in penalty, and write it off as the cost of doing business in New York City. But you may decide to contest the charges by sending a written defense to the Environmental Control Board (ECB), an independent administrative court that hears cases on violations of city laws, if the notice of violation you receive from the DOS enforcement agent allows for a hearing by mail. In this situation, you're allowed to include other documents to support your case. And the defense must be signed and notarized.

There's a way you can fight sidewalk violations inexpensively and without using too much of your time. You can use a standard sworn statement—known as an affidavit. The affidavit describes the super's regular sweeping schedule, says that the super cleaned according to the schedule on the date the violation was issued, and is signed by the super. Along with the affidavit, you can send a cover letter.

Submitting an affidavit has worked for owners in the past. For example, in one case an owner submitted a detailed affidavit from the building's super showing that the building was cleaned three times a day and stating what those times were, and it explained that an elementary school on the block made this job very difficult. The ECB found that the owner made reasonable efforts to keep the sidewalks clean and revoked the fine [*City of New York v. Bacotti*, January 1994].

How to Submit Affidavit and Cover Letter

Instructions for contesting a violation are on the violation notice issued by DOS. You have a choice of submitting a written response to the violation or appearing in person at an ECB hearing. If you decide to use an affidavit and cover letter, the mail-in option takes the least effort. The affidavit should be signed by the person responsible for sweeping the sidewalk—your super, another employee, or you if you sweep your own sidewalk. The signature must be notarized.

What Affidavit Should Say

Your affidavit, like our Model Affidavit: Give Cleaning Schedule When Contesting Sidewalk Violation, should give details on the regular sweeping schedule and show that the schedule was followed on the date of the violation.

Regular sweeping schedule. For a sweeping schedule to be regular, your super (or whoever does this job) must sweep in front of the building at certain times every day. The affidavit should be very specific about your schedule. For example, it shouldn't just say that the sidewalks are swept two or three times per day. It should give the exact

let **US** be your **EYES** and **EARS**



PGB EXECUTIVE INVESTIGATIONS, INC.
You only get one shot. Make the best choice!

About Us

PGB Executive Investigations is a New York State licensed, bonded & insured firm providing unparalleled private investigations for today's real estate community.

We offer a tailored approach to attending to the unique needs of today's landlord/tenant sector.

We are highly motivated, results driven, always discreet and confidential.

As a result of numerous investigations conducted, many property owners have reclaimed their rent-controlled and rent stabilized apartments from fraudulent tenants purporting to reside thereat, while actually primarily residing elsewhere.

Why We Should Be Your Only Choice

- Custom-covert-designed equipment to meet your needs
- Long & short-term physical & electronic surveillance
- Rent controlled-Rent stabilized/Illegal Sublet Investigations
- A unique and innovative approach infusing traditional investigative strategy with the latest cutting edge technology
- PGB is the consummate investigations firm, utilizing proven methods, to satisfy the most demanding clientele
- The firm's CEO, and lead investigator is a former NYPD Supervisor and respected leader in the law-enforcement community, whose staff is comprised of the finest of New York's Finest
- **CALL FOR A FREE CONSULTATION**

UNPARALLELED INVESTIGATIONS AT COMPETITIVE PRICES

www.pgbexec.com | **212.913.9112** | pgb@pgbexec.com

times the sidewalks are swept (for example, between 8 and 9 a.m., 12 noon and 1 p.m., and 5 and 6 p.m.).

Schedule followed on date of violation. The affidavit must state that the person sweeping followed the regular schedule on the date the violation was issued.

What Cover Letter Should Say

Your cover letter, like our Model Letter: Send Cover Letter with Affidavit When Contesting Sidewalk Violation, should:

State that you're contesting the DOS violation. Identify the number of the DOS violation. This is the number at the top of the violation notice.

Describe the building's size and location. This information

will help show that your cleaning schedule is reasonable.

Say that a regular cleaning schedule is in place. This part of your cover letter basically repeats what's in the affidavit. State that you have a regular cleaning schedule in place at the building and what that schedule is. Then refer to the affidavit.

State that the cleaning schedule is reasonable. State that the schedule is a reasonable one to keep the sidewalk and street clean, given the building's location.

What's a Reasonable Cleaning Schedule?

Unfortunately, proving that someone sweeps regularly and swept on the date of the violation isn't enough to beat a violation. Cleaning efforts required vary with each case, depending on the type of

building, the neighborhood, and the amount of pedestrian and auto traffic. The ECB must find that the schedule described in your affidavit and cover letter is reasonable to keep the sidewalk and street in front of your building clean, given your building's size and location. There's no hard-and-fast rule on how often is often enough. But when setting up a cleaning schedule, keep in mind the following general guidelines, based on our review of ECB decisions.

Keep a daily specified schedule. In one case, an owner claimed that two tenants swept and cleaned daily as they entered and left the building, that a landscaper cleaned periodically, and that she cleaned up the area daily. The owner claimed that the trash was thrown on the sidewalk by people coming

(continued on p. 4)

MODEL LETTER**Send Cover Letter with Affidavit When Contesting Sidewalk Violation**

If you're responding to a sidewalk violation by sending the ECB an affidavit from your super, here's what you might say in the cover letter you send along with the affidavit:

Sept. 21, 2012

Environmental Control Board
Mail Unit
66 John St., 10th Fl.
New York, NY 10038

Re: Violation No. 8998 / 999 East 99th St., New York, NY

To Whom It May Concern:

I contest violation No. 8998, issued Sept. 20, 2012, for a dirty sidewalk at 999 East 99th St., New York, NY. This building is a rental building with nine apartments, located on a quiet residential street. I have a regular cleaning schedule in place at the building. The building's superintendent, John Doe, sweeps the sidewalks every day between 8 and 9 a.m., 12 noon and 1 p.m., and 3 and 4 p.m. Mr. Doe followed this schedule on Sept. 20, 2012. Attached is an affidavit signed by Mr. Doe attesting to these facts.

The above schedule (sweeping three times each day) shows a reasonable effort to keep the sidewalks clean in light of the building's location on a residential block with low pedestrian traffic. Accordingly, no fine should be assessed.

Sincerely,
John Owner

MODEL AFFIDAVIT**Give Cleaning Schedule When Contesting Sidewalk Violation**

If your building is hit with a sidewalk violation and your super sweeps in front of your building, say, three times each day, here's what your super's affidavit to the ECB might say:

John Doe, being duly sworn, deposes and says:

1. I am the superintendent of the building located at 999 East 99th St., New York, NY.
2. I follow a regular cleaning schedule at the building. I sweep the sidewalk and street in front of the building every day between 8 and 9 a.m., 12 noon and 1 p.m., and 3 and 4 p.m. I followed this schedule on Sept. 20, 2012, the date the violation was issued.

SIGNATURE OF JOHN DOE _____

SWORN TO BEFORE ME THIS _____ DAY OF _____, 20____

[NOTARY PUBLIC SIGNATURE & SEAL]

Sanitation Violation

(continued from p. 3)

and going from a deli, fast-food restaurant, and day care center on the block. The owner lost her appeal because she didn't prove that she made reasonable efforts on a daily basis to keep the area in front of the building clean. She didn't describe a regular, daily cleaning routine or specific efforts made on the day the violation was issued. And because the owner described the mixed-use area as having several sources of litter, the cleaning efforts were inadequate [*City of New York v. Baker*, August 2010].

Once a day or alternate days aren't enough. The ECB will rarely find that sweeping once a day or on alternate days to be reasonable. For example, in one case, a DOS inspector noted there were newspaper, napkins, and other loose and matted debris on the sidewalk in front of the owner's brownstone building. The owner's son-in-law swept and cleaned the sidewalk and street in front of the building on alternate evenings, and had done so the night before the violation was issued. The administrative law judge ruled against the owner. The owner didn't maintain an adequate daily cleaning schedule and was fined \$100 [*City of New York v. Griffin*, November 2010].

Neighborhood, tenant density, special circumstances are important defense factors. If your building is located in a quiet residential area, sweeping twice a day may be okay. The ECB ruled that the owner of a three-story brownstone on a quiet residential block, who swept twice each day, proved she made reasonable efforts to keep the sidewalk clean [*City of New York v. Sullivan*, April 1993]. However, an

owner of a three-story brownstone on a residential street, with a college, grocery store, pizzeria at the nearby corner, and three blocks away from a large main street, and the block had heavy foot and auto traffic, demanded more cleaning than every other day [City of New York v. Griffin, November 2010].

In another case, an enforcement agent found a large accumu-

lation of white and yellow papers scattered all over the sidewalk one morning between 8 a.m. and 9 a.m. The owner claimed that it kept the sidewalk clean. The owner eventually won the appeal. The tenants had stated that on the night before the violation was issued, a local entity had distributed a large number of flyers on the block. And the owner also stated that it cleaned

the area in front of the building at 9 a.m. every day, and more often, if needed. Also, the property consisted of two two-family houses and one three-family house. Given the size of the buildings and tenants' statements, the ECB believed the owner and revoked the fine [City of New York v. Friedman, July 2010].

LANDLORD V. TENANT

Each month our sister publication, NEW YORK LANDLORD V. TENANT, summarizes approximately 60 decisions by the courts and the Division of Housing and Community Renewal (DHCR) involving owners and tenants. Here are five from the September 2012 issue.

Discrimination: Landlord Discriminated Based on Sexual Orientation

Tenant complained to the state Division of Human Rights (DHR) of housing discrimination based on sexual orientation. The DHR ruled for tenant, awarded damages and fines, and then sued landlord to enforce its judgment. The court ruled for the DHR. State law prohibits landlords from refusing to rent an apartment or otherwise withhold services from a tenant based on sexual orientation. The court upheld the DHR's award of damages in the amount of \$100,000 in compensatory damages, \$10,000 in punitive damages, and civil fines and penalties of \$25,000.

- NYS Division of Human Rights v. Stennett: NYLJ, 8/3/12, p. 26, col. 1 (App. Div. 2 Dept.)

Eviction: Tenant Substantially Complied with Order to Pay Back Rent

Landlord sued to evict tenant for nonpayment of rent. The court ruled for landlord but delayed execution of the eviction warrant until June 30, 2011, for tenant to pay \$986 without further extensions. Tenant later asked for a further stay until July 8, 2011, showing the court money orders for the full \$986, but said she didn't give the money to landlord until he came to collect on July 7. She claimed that she had no way to contact landlord unless he came to the apartment and that he refused to accept payment on that date because it didn't include July rent of \$493.

The court ruled against tenant, noting that one of her money orders was for \$493 and dated July 16, 2011. The other was for \$493 dated July 6, 2011. Landlord didn't oppose tenant's motion.

Tenant appealed and won. The lower court should have held a hearing on questions of fact raised by tenant's claims and the money orders. And tenant produced a money order dated July 8, 2011, for the entire amount due under the court's order. So tenant was in substantial compliance with the court's order, and the case was dismissed.

- First MWH&G Inc. v. Gilbert: NYLJ, 8/23/12, p. 26, col. 2 (App. T. 2 Dept.)

Landlord's Negligence: Child Scalded by Excessively Hot Bathtub Water

Tenant sued landlord after her child was burned by excessively hot water in her apartment bathtub. Landlord asked the court to dismiss the case without a trial. The court ruled against landlord, who appealed and lost. Tenant claimed that the child was in the bathtub for about five minutes without incident, with the water running at all times, and then suddenly began to cry and scream. The bathtub's drain hadn't been closed off and there was only about an inch of water in the tub where he was sitting at all times. A trial was needed to determine the facts. No proof was submitted regarding the temperature at which the water heater was set at the time of the accident or what landlord did in response to tenant's prior complaints about hot water surges in other outlets. Landlord has the burden of showing that it maintained its water heater system in a reasonably safe manner and that it didn't create or have actual or constructive knowledge of the claimed hazardous condition.

- Moshe K. v. Nu Kol Tuv, Inc.: 98 A.D.3d 652, 2012 NY Slip Op 06014 (App. Div. 2 Dept.; 8/22/12)

(continued on p. 6)

Landlord v. Tenant (continued from p. 5)

Rent: Landlord Can't Sue Tenant Who Abandoned Apartment

Landlord sued rent-stabilized tenant and tenant's sister in State Supreme Court, claiming that they owed over \$78,000 in back rent or use and occupancy. Tenant moved into the apartment in 1989. Tenant's sister lived with her in the apartment. Tenant moved out of the apartment at some point, while her sister remained in occupancy. Landlord sued to evict tenant in 1997 for nonprimary residence and claimed that the sister was an illegal subtenant. Landlord abandoned that proceeding in 1998, and no further action was taken against tenant until 2007, when landlord sued to evict her for nonpayment of rent. That case was dismissed by the housing court in 2011 without prejudice because landlord failed to prove a landlord-tenant relationship.

The court ruled for tenant and dismissed the Supreme Court action. It was undisputed that tenant had abandoned the apartment, and her lease wasn't

renewed in 1997. Since the apartment had been surrendered by operation of law, landlord had no claim for rent against tenant. The case remained open against tenant's sister.

■ *Cenpark Realty LLC v. Gurin*: 36 Misc.3d 1235(A), 2012 NY Slip Op 51615(U) (Sup. Ct. NY; 8/17/12)

Tenant Nuisances: Landlord Claims Birds in Apartment Caused Foul Odor

Landlord sued to evict elderly rent-stabilized tenant for nuisance and violating his lease by harboring birds in his apartment. Landlord claimed that foul odors came from the apartment, disturbing other tenants. Tenant asked the court to dismiss the case, claiming that landlord's notice to cure and termination notice weren't specific enough. The court agreed and dismissed the case. Landlord's notices didn't give tenant enough information to prepare a proper defense and therefore were defective.

■ *WRG Acquisition XIII v. Dalton*: Index No. LT-006992-11, NYLJ No. 1202567269869 (Dist. Ct. Nassau; 8/1/12)

Management Basics (continued from p. 1)

efficiency but also reduces the risk of malfunction, which otherwise could cause hazardous levels of carbon monoxide to enter your building.

Besides raising the threat of carbon monoxide, boilers require special attention because they're potentially dangerous to people working around them. The steam generated in closed vessels is superheated under pressure. Though boilers are usually equipped with a pressure relief valve, if the boiler fails to contain the expansion pressure, the steam energy is released instantly. The exploding metal and superheated steam that occurs when this happens are extremely dangerous.

According to Mark Good, president of P.C. McKenzie, a boiler supply and service company, the Number One tip regarding boilers

is for owners and managers to take time to familiarize themselves with the boiler manufacturer's operating manual and instructions.

"When our service technicians are trying to troubleshoot a boiler problem over the phone, the more information an owner can provide, the better," says Good. When an owner knows the location of the main components to the boiler, the problem is assessed much faster, damage can be minimized, and the service technician has a better idea of what the repair will involve. At the very least, Good recommends, owners should post the boiler's wiring diagram somewhere near the boiler controls.

Tip #1: Schedule Cleaning and Inspection

Before heating season starts, Good recommends hiring a qualified

boiler service technician to perform a yearly service inspection when the boilers are turned off. This way, any needed repairs can be made without any disruption to your residents.

Upon opening your boiler for inspection, clean both the fireside and waterside of the boiler. Fireside cleaning entails vacuuming all fireside surfaces. The inspector will note the condition of the fireside brickwork and insulation materials. Waterside work will include cleaning and removing normal amounts of accumulated sludge that may be in the boiler or control piping. The service technician will also check all safety devices. This includes a pop test on the safety relief valves, flame safeguard checks, and a leak test on safety shut-off valves.

Tip #2: Keep a Logbook

Once heating season starts, a daily logbook of boiler readings is a great tool against unforeseen problems. “Typically, an owner will call us after a failure has occurred,” says Good. Instead of anticipating necessary repairs, owners tend to respond to problems reactively. The stresses and costs of dealing with a boiler failure are high. Much of the repairs are done on an overtime basis, and the tenant complaints from interrupted service will pile up the longer the system is down.

“The best preventive measure against failure is for the owner to have a daily boiler-room log. Someone from the maintenance staff can record critical, predetermined readings, which will help management respond to changes in boiler operation and overall performance,” says Good. Critical predetermined readings include fuel consumption and flue gas temperatures. They should be recorded daily. Using this data, past baseline readings are compared to current readings to determine if a problem may be forthcoming.

For example, if the flue gas temperature of a boiler has gradually increased over the course of a month, the owner might determine that a buildup of concentrated minerals and other contaminants, called boiler scale, in the boiler is reducing heat transfer. As water is converted into steam, contaminants in the water are left behind. The boiler distills the pure water out as steam, and leaves behind crystal-like materials. Boiler scale directly results in increased fuel bills because of operating inefficiencies—and it reduces the life of a boiler.

Accurate data in a daily log can help spot trends and discover problems before they result in unscheduled down time. “Some boilers require more extensive logs than others,” says Good. He suggests getting professional advice as to what readings to record. Good recommends making daily recordings of the following gauges:

- Water Level
- Low Water Cut-Off Tested
- Blowdown Water Column
- Blowdown Boiler
- Visual Check of Combustion
- Boiler Operating Pressure/
Temperature
- Feedwater Pressure/
Temperature
- Condensate Temperature
- Feedwater Pump Operation
- Flue Gas Temperature
- Gas Pressure
- Oil Pressure and Temperature

Tip #3: Know When to Call a Professional

Before recording readings in the daily log, a maintenance staff member should do a quick check for obvious problems that need immediate attention. Maintenance staff should frequently inspect boilers for leakage, proper combustion, operation of safety devices and gauges, and other functions. Many older boilers, and hot water and steam piping, may have asbestos insulation coatings or wraps. Workers should periodically inspect these areas to make sure that the materials are not damaged, flaking, or deteriorating. Damaged materials should be reported and repaired, or removed immediately by a certified asbestos contractor.

Signs of cracked surfaces, bulges, corrosion, or other defor-

mities should be repaired by an authorized technician immediately. Even with a logbook, problems can still happen, and understanding when to turn to qualified professionals for assistance can save time and money. Some of the areas where trained professionals are needed are:

- Leaking safety or safety relief valves;
- Steam leaks (steam systems);
- High stack temperatures (excess of 350° F);
- Insufficient heat for building;
- Condensate dripping down the stack or out the front of the boiler; and
- Constant resetting of controllers and safety devices.

Tip #4: Clear Area Around Boiler

If your staff used the boiler room to store materials during the summer months, be sure to clear the area before the boiler is turned on again. Boilers have hot surface areas, so there should be plenty of clearance for workers to move around the room. The area around the boiler should be kept clean of dust and debris, and no flammable materials should be stored near the boiler.

Also, spills in the boiler room should be mopped up immediately. Floors are often sealed concrete that can be very slippery when wet. Without immediate cleanup, someone could slip and injure himself against the boiler’s hot surface. Adequate lighting in the boiler room also helps workers navigate the room, avoiding pipes and other possible hazards. Make sure that adequate lighting is provided and that malfunctioning light fixtures are repaired immediately.

Open to Read Your Latest Issue

BUILDING MANAGEMENT CALENDAR

This calendar covers key dates in the period from Oct. 15 through Nov. 15, 2012

DATE	TO DO	FOR MORE INFO
10/24 WED	<input type="checkbox"/> File petition to review tax commissioner's final determination of 2012-13 real property taxes. If you reject an offer by the Tax Commission to get a reduction of your 2012-13 real property taxes, or if you don't get an offer, this is your last day to seek a court review of the assessment by filing a lawsuit in the state's Supreme Court.	
11/1 THU	<input type="checkbox"/> File J-51 application with HPD. The last period for filing J-51 tax abatement and exemption applications with the city's Department of Housing Preservation and Development (HPD) starts today. Applications can be filed during this period, up to and including Dec. 15, 2012.	Call HPD's Tax Incentive Office at (212) 863-5517.
11/6 TUE	<input type="checkbox"/> Use Election Day building schedule. Election Day is a Services Employees' International Union (Local 32BJ) contract holiday. It's also a Sanitation Department workers' holiday, which means there's no garbage pickup or street cleaning.	
11/12 MON	<input type="checkbox"/> Veterans Day observed Veterans Day is a Services Employees' International Union (Local 32BJ) contract holiday. It's also a Sanitation Department workers' holiday, which means there's no garbage pickup or street cleaning.	
11/15 THU	<input type="checkbox"/> Get boiler inspected. If you own a building with six or more apartments—or fewer than six apartments and the boiler also heats a store or other commercial space—today is the last day to get your boiler inspected and to file an inspection report with the city's Department of Buildings (DOB). Your inspection report must be at the DOB at the close of business today.	Call the DOB at (212) 566-5430.