



NEWS

New York City Department of Buildings Issues Update Regarding NYC Local Law 11 / Facade Inspection Safety Program

The New York City Department of Buildings (NYC DOB) issued a memo on 28 March 2016 informing industry professionals of clarifications and updates to the Facade Inspection Safety Program (FISP), more commonly known as New York City Local Law 11. Hoffmann Architects offers this summary of their comments.



Minimum Inspection Requirements

In certain cases, states the memo, written by Eugene Krenitsyn, PE, Technical Director of the Local Law and Facades Unit of the NYC DOB, evaluation of building conditions may require more “comprehensive” inspection “beyond the minimum” stated in the law. Rather than offer prescriptive requirements for what this evaluation might entail, the memo leaves it up to the Qualified Exterior Wall Inspector (QEWI) to identify procedures that “satisfy a professional standard of care.” Cases specifically called out as potentially requiring this “comprehensive evaluation” include:

- Buildings for which facade reports haven't been filed for one or more previous cycles;
- Buildings for which “Unsafe” reports were filed;
- Buildings for which “SWARMP” (Safe With a Repair and Maintenance Program) reports were filed, but facade repair and shed permits were not filed;
- Buildings with splitting or fractured terra-cotta and other decorative materials; and
- Cavity wall buildings.

“Unsafe” Facades

With 1,300 buildings in the City still categorized as “Unsafe,” the NYC DOB urges owners of buildings for which an “Unsafe” facade report has been filed to immediately take action to bring the building to a “Safe” condition. The memo clarifies that QEWIs are responsible for reporting Unsafe facade conditions by calling 311 (or 212-NEW-YORK outside New York City), as well as filing a FISP 3 form (available at <http://www1.nyc.gov/assets/buildings/pdf/fisp3.pdf>) for buildings over six stories.

Vulnerable Facade Elements

The NYC DOB underscores the importance of “special atten-

tion” to facade elements composed of terra-cotta and sandstone, emphasizing that “thorough evaluation of any cracked facade elements” is an essential part of the FISP report. For common defects and their causes, the NYC DOB refers building owners and QEWIs to their Facade Conditions Presentation (<http://www1.nyc.gov/assets/buildings/images/content/misc/FacadePresentation.pdf>).

Failure to File

Concerned about the 800 buildings for which no report was filed in the last cycle, the NYC DOB reminds building owners that facade reports for such buildings are accepted early, provided that civil penalties have been resolved. To avoid “financial, administrative and legal actions,” the NYC DOB emphasizes the importance of filing on time. For “Unsafe” buildings, the memo reminds owners that civil penalties can be avoided during a repair campaign.

Balconies and Railings

The NYC DOB clarifies that conversion of balconies to enclosed living space by unit residents requires a permit; alternatively, such spaces must be restored to as-built permitted conditions. Beginning this cycle, the “Handrail and Guard statement” is considered “an integral part of the FISP report,” and must be included to avoid report rejection. According to the memo, the statement “must contain assessment of structural stability and code compliance of building handrails/guardrails, including fire escapes and parapets.”

Penalties

For owners who fail to correct unsafe conditions, the memo stresses that the NYC DOB enforces civil penalties and fines of \$1,000 per month.

For more information, see the NYC DOB website: www1.nyc.gov/site/buildings/safety/facades.page
Visit Hoffmann Architects' FISP information page: www.hoffarch.com/services/facade-inspection/nyc-local-law-11
Follow our FISP LinkedIn discussion board: www.linkedin.com/company/new-york-city-local-law-11-facade-inspections
Or reach out to us at news@hoffarch.com or 212-789-9915.

Founded in 1977, Hoffmann Architects specializes in the rehabilitation of the building envelope. The firm's work focuses on the exteriors of existing structures, diagnosing and resolving deterioration within facades, roofing systems, windows, waterproofing materials, plazas/terraces, parking garages, and historic and landmark structures. Our technical professionals investigate and correct damage resulting from time and weather, substandard or improper construction, design defects, material failures, poor workmanship, structural movement, and stress.

New York	1040 Avenue of the Americas, Suite 14C, New York NY 10018	Tel 212 789-9915	www.hoffarch.com
Connecticut	2321 Whitney Avenue, Hamden CT 06518	Tel 203 239-6660	
Washington DC	2611 Jefferson Davis Highway, Suite 200, Arlington VA 22202	Tel 703 253-9800	