



Three easy tips to avert violations in heating season - by Gabriella Schwalbe

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Winter is here, and Mother Nature isn't messing around so far. Building owners should take precautionary steps to avoid DOB violations and building maintenance issues. Many of the "minor" and easily avoidable winter issued summonses I litigated for the DOB were the result of building owners lack of preparation for the winter months. Two important and easy steps a building owner can take to prevent winter weather related violations is to (1) implement a safety weather checklist and (2) keep track of advisory updates.

Building owners can sign up for weather advisory updates on the DOB website. <https://www.nyc.gov/site/buildings/dob/sign-up-for-weather-advisories.page>.

Further, even when steps are taken to prevent inclement weather maintenance issues, owners should (3) keep records of steps taken. For example, a building owner was issued a violation when their building's awning was damaged during snowfall. As the owner did not keep records of ongoing maintenance or steps taken to prevent damages prior to the snowstorm, the owner lost his case and had to pay a sizable fine to the city. Developers and contractors are especially vulnerable to weather related violations! In another instance, a contractor failed to prevent ice formation on hoisting equipment, creating a falling ice hazard to pedestrians. Because the contractor did not take measures to prevent ice formation on the hoisting equipment until after the snow storm, he was found in violation. Had the contractor followed winter advisories and simply sprayed the hoisting equipment with de-icing liquid, the contractor would have avoided fines and hours wasted in court.

It's also worth noting that building owners should not be surprised that the city will be auditing boiler and elevator inspections. Boiler devices were required to be inspected by December 31, 2022. This means the DOB will be issuing summonses for non-compliance. The inspection report is to be filed in DOB NOW by a licensed professional or insurance agency inspector, within 14 days of inspection. Category Elevator 1 Test Reports should also be filed by December 31, 2022. These reports must be filed on DOB NOW within 21 days from the date of the test.

Wishing all building owners a happy and violation-free year!

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