



FACADE INSPECTION REPORT: CYCLE 7

PROPERTY: 9 EAST 71ST STREET
NEW YORK, NY 10021

ARCHITECT: ARC, P.C.
12 WEST 23RD STREET - 3RD FLOOR
NEW YORK, NY 10010
TEL: [REDACTED]

- INDEX:**
- I. EXECUTIVE SUMMARY
 - A. PROPERTY INFORMATION
 - B. OWNER INFORMATION
 - C. DESCRIPTION OF BUILDING
 - D. SETTLEMENTS, REPAIRS & REVISIONS
 - E. CRITICAL EXAMINATION PROCEDURES
 - F. METHODS USED TO CONDUCT INSPECTION
 - G. REPORT OF CONDITIONS OBSERVED: CYCLE 7
 - H. ANALYSIS OF THE CAUSES OF CONDITIONS REPORTED
 - I. STATUS OF EXTERIOR MAINTENANCE
 - J. COMPARISON OF FINDINGS WITH PRIOR REPORT
 - K. RECOMMENDATIONS FOR REPAIRS OR MAINTENANCE
 - L. REQUIRED PERMITS
 - M. PHOTOGRAPHS
 - N. CLASSIFICATION OF BUILDING
 - O. PROFESSIONAL SEAL & SIGNATURE
 - P. APPENDICES:
 - 1. BIS PROPERTY INFORMATION PROFILE
 - 2. ECB FACADE VIOLATION SUMMARY
 - 3. ECB FACADE VIOLATION DETAILS
 - 4. BIS APPLICATIONS OVERVIEW
 - 5. REFERENCE DRAWINGS: ROOF PLAN
 - 6. REFERENCE DRAWINGS: ELEVATIONS
 - 7. MAINTENANCE RECOMMENDATIONS
 - 8. LIMITATIONS OF INSPECTIONS & REPORT

- CLASSIFIED:**
- UNSAFE (CYCLE 6 CONDITIONS)
 - SWAMP
 - SAFE



DATE: OCTOBER 20, 2010

ARC No: LL 145-2010

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I. EXECUTIVE SUMMARY:

The following summary is intended to provide an executive overview consisting of a summary of findings and recommendations, a concise statement of the scope of the inspection and findings, the conclusions and recommendations and a determination as to whether the building is categorized as "Safe", "SWARMP", or "Unsafe".

Summary of Findings:

9 East 71st Street is a seven (7) story residential building. The structure is generally rectilinear in shape and is approximately 50' x 92' in plan. Of the four major facades, the south facade is considered the "street elevation." There are no fire escapes on the building.

Built ca. 1910, the building's structure is assumed to be steel frame and is listed as Class 1 fireproof construction. The street facade is clad with St. Maxim's limestone and off-street facades with beige brick. The building has south facade balconies at the second floor, fourth floor, sixth floor and a terrace at the seventh floor. Fenestration consists of wooden French windows and double-casement windows of varying sizes. Window sills are typically limestone.

Before on-site examinations were conducted, the building's Cycle 6 Local Law 11/98 report was reviewed. Visual examinations were performed from the bulkhead roof, seventh floor terrace, south yard, east court, and each balcony of the south facade. 9 East 71st was also examined from the balcony and rear yard of its neighbor to the west, and roof and rear yard of its neighbor to the east. A Physical Examination was performed on the street (south) facade from two suspended swing stage scaffolds.

Several uncorrected Cycle 6 conditions occur on various facades and include spalled stone, broken stone units, cracked brick and deteriorated expansion joints. Conditions that are Safe With A Required Maintenance Program occur on each facade and include cracked brick, deteriorated steel lintels, spalled stone, and a cracked window sill. Safe conditions are also found on each facade and include eroded mortar joints at brick and stone, metal railings and fences in need of painting and deteriorated sealant.

The building has been categorized as "Unsafe" due to unaddressed Cycle 6 conditions. We recommend that repairs described within this report commence as soon as possible to correct "Unsafe" and SWARMP conditions to achieve "Safe" status.

(as defined in Rule 32-03 by the Department of Buildings).

Building Categorized As:

- Unsafe**
- SWARMP (Safe with a Repair and Maintenance Program)**
- Safe**



A. PROPERTY INFORMATION:

Building Address: **9 East 71st Street
New York, NY 10021**

A.K.A.: **N/A**

Block / Lot: **1386 / 10**

Building Identification No. (BIN): **1041354**

Certificate of Occupancy: **CO 101428**

Landmark Status: **Landmarked**
 Not Landmarked

Nearest Cross Street: **Fifth Avenue / Madison Avenue**

Property Profile Overview (BIS): **Refer to Appendix 1: BIS Property Profile Overview**

Location Plan:



B. OWNER INFORMATION:

Owner's Name: **Nine East 71st Street Corporation**

Owner's Mailing Address: **9 East 71st Street
New York, NY10021**

Owner's Telephone Number: **(212) 750-9895**

Principal / Title: **Jeffrey Epstein, President**



C. DESCRIPTION OF BUILDING

Number of Stories: **7**

Building Height (ft): **120**

Approximate Plan Dimensions (ft): **50 x 92**

Certificate of Occupancy No.: **101428**

Usage:

- Residential**
- Commercial**
- Institutional**

Approximate Age: **Built in 1910**

Exterior Wall Type:

- Masonry**
- Curtain Wall**

D. SETTLEMENTS, REPAIRS & REVISIONS TO EXTERIOR ENCLOSURES

Settlements Since Last Report:

- No Settlements Observed**
- Settlements Observed, as Follows:**

Repairs Since Last Report:

- No Repairs Observed**
- Repairs Observed, as Follows:**

<input type="checkbox"/> Repointing	<input type="checkbox"/> Window Sill Replacement
<input type="checkbox"/> Masonry Restoration	<input type="checkbox"/> Stone Repairs
<input type="checkbox"/> Parapet Reconstruction	<input type="checkbox"/> Repainting of Fire Escapes
<input type="checkbox"/> Lintel Replacement	<input type="checkbox"/> Cornice Replacement
<input type="checkbox"/> Other (Fill In)	<input type="checkbox"/> Other (Fill In)

Revisions Since Last Report:

- No Revisions Observed**
- Revisions Observed, as Follows:**



E. CRITICAL EXAMINATION PROCEDURES

Scope of Examination:

The following procedures were followed in performing the critical examination:

1. Review of facade inspection report corresponding to prior cycle.
2. Visual examination of all applicable exterior walls subject to examination using high powered binoculars and digital cameras.
3. Physical examination of representative samples of the exterior walls.
4. Comparison of findings between prior cycle's filed report and current cycle's examination.



F. METHODS USED TO CONDUCT INSPECTION:

Physical Examination:

A physical examination of a representative sample of a street front wall was performed from:

- Suspended Swing Stage Scaffold.**
- Telescopic Boom Lift.**
- Existing Fire Escape(s).**
- Pipe Scaffolding.**

Refer to "Location Diagram (Part 2)" on the next page for the exact location(s) of physical examination(s).

Critical Examination by:

Joakim Aspegren, R.A.

ARC, ■■■
12 West 23rd Street, New York, NY 10010
Tel: (212) 367-7472

License Number: 30058

Inspections by:
(Staff from ARC, PC)

Joakim Aspegren, R.A.
Graham Roscoe, R.A.
Mamata Malla, Assoc. AIA

Rigging by:

Herbert Rose, Inc.

40-25 Crescent Street
Long Island City, NY 11101
(718) 729-4900
License No: 5739

Location Diagram (Part 1):

The adjoining location diagram depicts the overall context of the property for the purpose of indicating the nearest cross street.

The building's main entrance and locations of close-up inspections have been depicted in the following page under Location Diagram (Part 2).



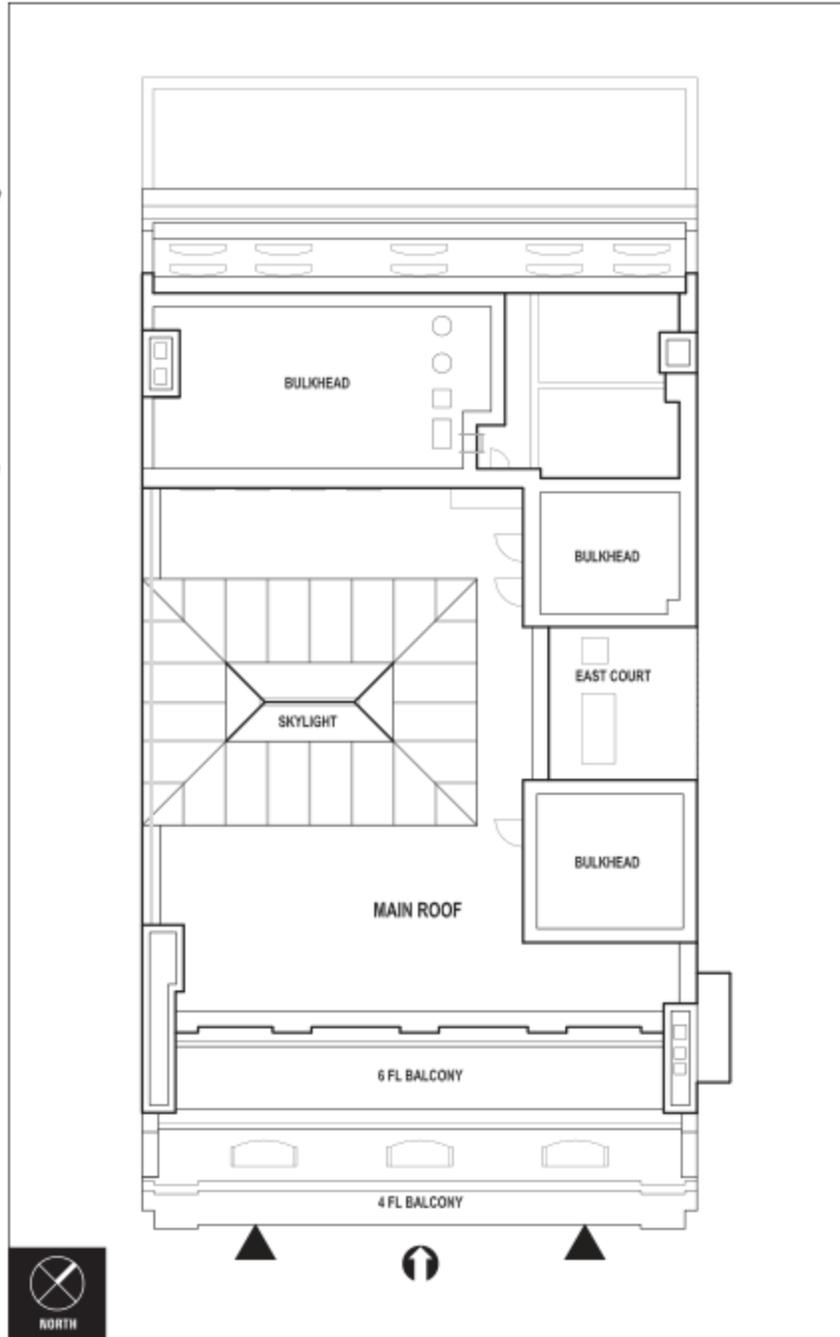
F. METHODS USED TO CONDUCT INSPECTION (CONTINUED FROM PRIOR PAGE):

Location Diagram (Part 2):

The adjoining location diagram depicts the location of the building's main entrance and locations of close-up inspections which have been identified through the following legends:

-  MAIN ENTRANCE
-  PHYSICAL EXAMINATION

Refer to Location Diagram (Part 1) shown on prior page for a depiction of the building's overall context and nearest cross street.



Critical and Physical Examination Dates:

	<i>Start</i>	<i>Finish</i>
<i>Physical Inspections</i>	06.08.2010	06.08.2010
<i>Critical Examination</i>	04.13.2010	10.20.2010



G. REPORT OF CONDITIONS OBSERVED: CYCLE 7

Significant Deterioration:

- No Significant Deterioration or Movement Detected.**
- Significant Deterioration and/or Movement Detected. Refer to Section D.1. of this report for further information.**

Building Water Tightness:

- Leaks Reported. Building is not watertight**
- No Leaks Reported. Building is watertight**

Classification of Conditions Observed.

For a classification of each condition observed refer to:

- Appendix 5: Reference Drawings: Roof Plan**
- Appendix 6: Reference Drawings: Elevations**

Condition of Exterior Appurtenances

Existing exterior appurtenances have been identified under the "In-Situ" column. Those appurtenances whose condition is considered deleterious have been identified as such under the "Deleterious" column on the adjacent table.

Appurtenance	In-Situ	Deleterious
Exterior Fixtures	x	
Flag Poles		
Signs		
Parapets	x	
Copings	x	
Guard Rails / Balustrades	x	
Window Frames	x	
Window Guards	x	
Flower Boxes		
Communication Equipment		
Air Conditioners		
Balconies	x	
Cornice	x	
Chimneys	x	

Safe Conditions Requiring Maintenance:

For a list of Safe Conditions requiring monitoring and/or routine maintenance refer to:

- Appendix 5: Reference Drawings: Roof Plan**
- Appendix 6: Reference Drawings: Elevations**
- Appendix 7: Maintenance Recommendations**



H. ANALYSIS OF THE CAUSES OF THE CONDITIONS REPORTED AS UNSAFE OR SWAMP

The following are deemed to be the causes for conditions reported as Unsafe or SWAMP:

- Eroded Masonry, Stone or Terra Cotta Joints**
Natural weathering.
- Cracked / Spalled Brick Masonry, Stone or Terra Cotta**
Thermal expansion and contraction, corrosion of underlying or adjacent steel, deteriorated joints.
- Cracked / Spalled Stucco**
Thermal expansion and contraction, corrosion of underlying or adjacent steel.
- Cracked / Spalled Window Sill**
Thermal expansion and contraction, corrosion of underlying steel, deteriorated joints.
- Deflected Steel Lintel(s)**
Corrosion of steel.
- Peeling Paint or Coating**
Natural weathering.
- Deteriorated Sealant**
Natural weathering.

I. STATUS OF EXTERIOR MAINTENANCE

This property has been found to be:

- Regularly Maintained.**
- Not Maintained.**



J. COMPARISON OF FINDINGS WITH PRIOR REPORT: CYCLE 6 LOCAL LAW 11/98 REPORT

This section consists of a comparison of currently observed conditions with conditions observed during the previous report filing cycle examination, including the status of repairs or maintenance performed with respect to the prior conditions.

This section lists any permits used after the prior report was filed for the purpose of correcting conditions noted for repair in the Cycle 6 Local Law 11/98 Report.

Prior Observed Conditions:

- No Conditions Reported
- Open Masonry Joints
- Deteriorated Brickwork
- Deteriorated Parapet
- Deflected Lintels
- Cracked Window Sills
- Deteriorated Paint Finishes
- Open Sealants
- Deteriorated Masonry
- Rusted Fire Escapes
- Deteriorated Cornice

Comparison of Conditions Reported:

- No Prior Conditions Reported
- Conditions Partially Corrected
- Conditions Uncorrected
- Conditions Corrected. All conditions observed in the prior Cycle 6 report have been corrected.

Department of Buildings Permits:

- No Facade Work Permits Since Prior Report On Record
- Facade Work Permits on Record Since Prior Report:

Item	Permit Number	Sign-off Date

Open Facade Violations:

- No ECB Violations on Record
- ECB Violations on Record:

Violation No:	Violation Type	Date Issued



L. WORK PERMITS REQUIRED

The following permits will be required to perform the work recommended in this report:

- General Construction Permit for Exterior Work (Alteration Type 2)**
 - Sidewalk Shed Permit**
 - Scaffolding Equipment Permit(s)**
 - Certificate of No Effect from Landmarks Preservation Commission**

 - No Work Permits Are Required Because:**
 - Work is Exempt from Permit Requirement as per TPPN 1/99**
 - No Work is Required**
-

M. PHOTOGRAPHS

1. Street Facade.



M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
01	B-PNT 075 CON	BRICK POINTING: CONCAVE TOOLING



Photo No.	Repair Code:	Repair Recommendation:
02	B-RST 101	BRICK RESTORATION: 1 WYTHE

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
03	B-RST 101 CRK	BRICK RESTORATION: REPLACEMENT OF CRACKED BRICKS



Photo No.	Repair Code:	Repair Recommendation:
04	F-MTL 101	PAINTING OF METAL

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
05	M-FLA 002	METAL OR FLUID APPLIED FLASHING INSTALLATION



Photo No.	Repair Code:	Repair Recommendation:
06	M-LIN 103 L	LINTEL REPLACEMENT

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
07	ST-COP 101L	STONE COPING REPLACEMENT: LIMESTONE



Photo No.	Repair Code:	Repair Recommendation:
08	MA-PNT 101 CON	MASONRY POINTING: CONCAVE FINISH

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
09	MA-PTC 101	MASONRY PATCHING REPAIR



Photo No.	Repair Code:	Repair Recommendation:
10	MA-SIL 101 FLD	MASONRY SILL REPLACEMENT: LIMESTONE

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
11	S-GUT 101	SEALANT REPLACEMENT AT GUTTER



Photo No.	Repair Code:	Repair Recommendation:
12	S-WAL 101 EXP	SEALANT REPLACEMENT AT EXPANSION JOINT

M. PHOTOGRAPHS



Photo No.	Repair Code:	Repair Recommendation:
13	S-WIN 101	SEALANT REPLACEMENT AT WINDOW PERIMETER



N. CLASSIFICATION OF BUILDING

Building Categorized as: **Unsafe**
 SWARMP (Safe with a Repair and Maintenance Program)
 Safe

(as defined in Rule 32-03 by the Department of Buildings).

Definitions

Safe Conditions: Safe means a condition of a building wall, any appurtenances thereto or any part thereof not requiring repair or maintenance to sustain the structural integrity of the exterior of the building and that will not become unsafe during the next five years.

Safe Conditions with a Repair and Maintenance Program (SWARMP): Safe with a repair and maintenance program means a condition of a building wall, any appurtenances thereto or any part thereof that is safe at the time of inspection, but requires repairs or maintenance during the next five years in order to prevent its deterioration during that five year period into an unsafe condition.

Unsafe Conditions: Unsafe Conditions are defined as "a condition of a building wall, any appurtenances thereto or part thereof that is dangerous to persons or property and requires prompt remedial action. In addition, any condition which was reported as safe with a repair and maintenance program in an earlier report and which is not corrected at the time of the current inspection shall be reported as an unsafe condition."

O. PROFESSIONAL SEAL & SIGNATURE

<i>Professional Seal:</i>	
<i>Signature:</i>	
<i>Date:</i>	10/20/2010



P. APPENDIX 1: BIS PROPERTY PROFILE OVERVIEW

Property Profile Overview

http://a810-bisweb.nyc.gov/bisweb/PropertyProfileOverviewServlet?req...



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NYC Department of Buildings Property Profile Overview

9 EAST 71 STREET
EAST 71 STREET 9 - 9

MANHATTAN 10021
Health Area : 4100
Census Tract : 130
Community Board : 108
Buildings on Lot : 1

BIN# 1041354
Tax Block : 1386
Tax Lot : 10
Condo : NO
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#)

[View Challenge Results](#)

[View Certificates of Occupancy](#)

Cross Street(s):	5 AVENUE, MADISON AVENUE		
DOB Special Place Name:			
DOB Building Remarks:			
Landmark Status:	L - LANDMARK	Special Status:	N/A
Local Law:	YES	Loft Law:	NO
SRO Restricted:	NO	TA Restricted:	NO
UB Restricted:	NO		
Little 'E' Restricted:	N/A	Grandfathered Sign:	NO
Legal Adult Use:	NO	City Owned:	NO
Additional BINs for Building:	NONE		

Special District: LH-1A - LIMITED HEIGHT

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, or Coastal Erosion Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: A5-1 FAMILY DWELLING

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	
Complaints	2	0	Elevator Records
Violations-DOB	21	4	Electrical Applications
Violations-ECB (DOB)	3	0	Permits In-Process / Issued
Jobs/Filings	10		Illuminated Signs Annual Permits
ARA / LAA Jobs	0		Plumbing Inspections
Total Jobs	10		Open Plumbing Jobs / Work Types
Actions	86		Facades
			Marquee Annual Permits
			Boiler Records
			DEP Boiler Information

OR Enter Action Type:

OR Select from List:

Select...

AND

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



P. APPENDIX 2: ECB FACADE VIOLATION SUMMARY

- No open Environmental Control Board (ECB) facade violations.**
- Open violations. Refer to list below.**

ECB Query By Location

<http://a810-bisweb.nyc.gov/bisweb/ECBQueryByLocationServlet?reques...>



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NYC Department of Buildings
ECB Query By Location

Page: 1 of 1

Premises: 9 EAST 71 STREET MANHATTAN

BIN: [1041354](#) Block: 1386 Lot: 10 CB: 108

A	ECB NUM	RESPONDENT NAME	DATE OF ISSUANCE & DOB VIOL NUMBER	VIOL TYPE	STATUS	INF CD/PROV LAW
D	38062427J	SMITH JEFFREY J.	080697E825A2	ELEV	AFF ACC	BP7 27-987
D	34314696K	NINE EAST 71 STREET	050302LL1080HAZ	LLAW	AFF ACC	BG5 27-129(D)(1) (B
D	34012554L	BIRCH WWATHEN SCHOOL	082488CBGC02	CONS	AFF ACC	B02 27-215

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



P. APPENDIX 3: ECB FACADE VIOLATION DETAILS

- No open Environmental Control Board (ECB) facade violations.
 - Open violation(s). Refer to violation below.
-



P. APPENDIX 4: BIS PROPERTY PROFILE OVERVIEW, FACADE & SHED APPLICATIONS

Permits In-Process / Issued by Premises

<http://a810-bisweb.nyc.gov/bisweb/PermitsInProgressIssuedByBinServlet...>



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NYC Department of Buildings

Permits In-Process / Issued by Premises

Page: 1 of 1

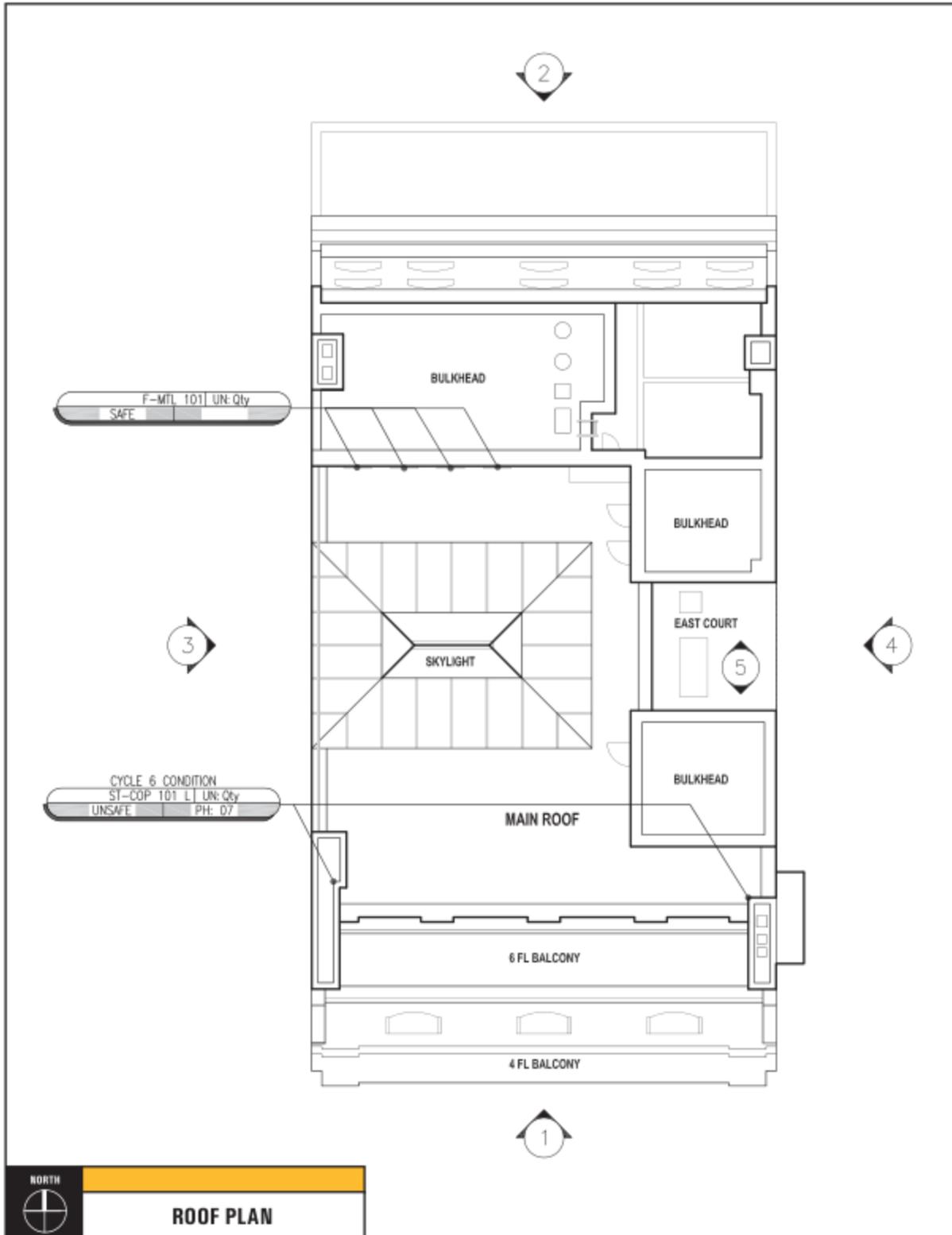
Premises: 9 EAST 71 STREET MANHATTAN

BIN: [1041354](#) Block: 1386 Lot: 10

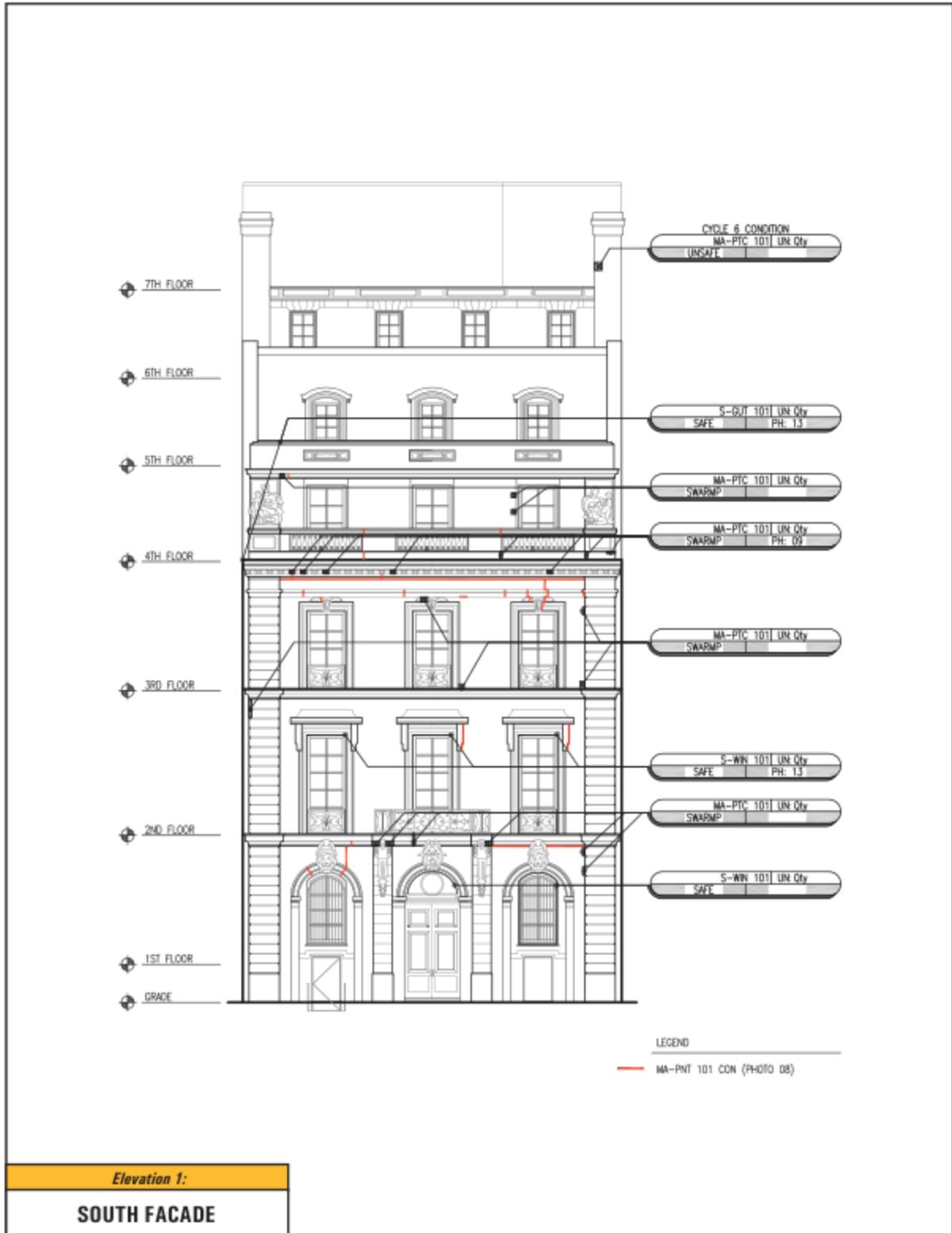
NUMBER	JOB TYPE	SEQ NO	ISSUED DATE	EXPIRATION DATE	STATUS	APPLICANT NAME
103172406-01-EQ SF	A3 - ALT3	01	06/04/2002	04/01/2003	ISSUED	O'FARRELL PETER
103171489-01-EW OT	A2 - ALT2	02	06/19/2002	05/01/2003	ISSUED	ROSENWACH ANDREW
103068564-01-EQ SH	A3 - ALT3	01	01/08/2002	12/31/2002	ISSUED	O'FARRELL PETER
100374783-01-EW FP	A2 - ALT2	01	03/27/1992	01/08/1993	ISSUED	KERR MICHEAL
100089093-01-EQ SF	A3 - ALT3	02	09/18/1990	10/01/1991	REISSUED	BUTTNER JOHN
100057876-01-EQ OT	A3 - ALT3	02	01/30/1991	01/30/1992	ISSUED	BOPP JOSEPH
100051514-01-EW SD	A2 - ALT2	01	03/12/1991	11/07/1991	ISSUED	HIRSCH MORTY
1P0004546-01-		04	04/20/1992	03/31/1993	ISSUED	VAN NOSTRAND SAIL
1P0002028-01-		04	08/25/1992	10/01/1993	REISSUED	BUTTNER JOHN

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

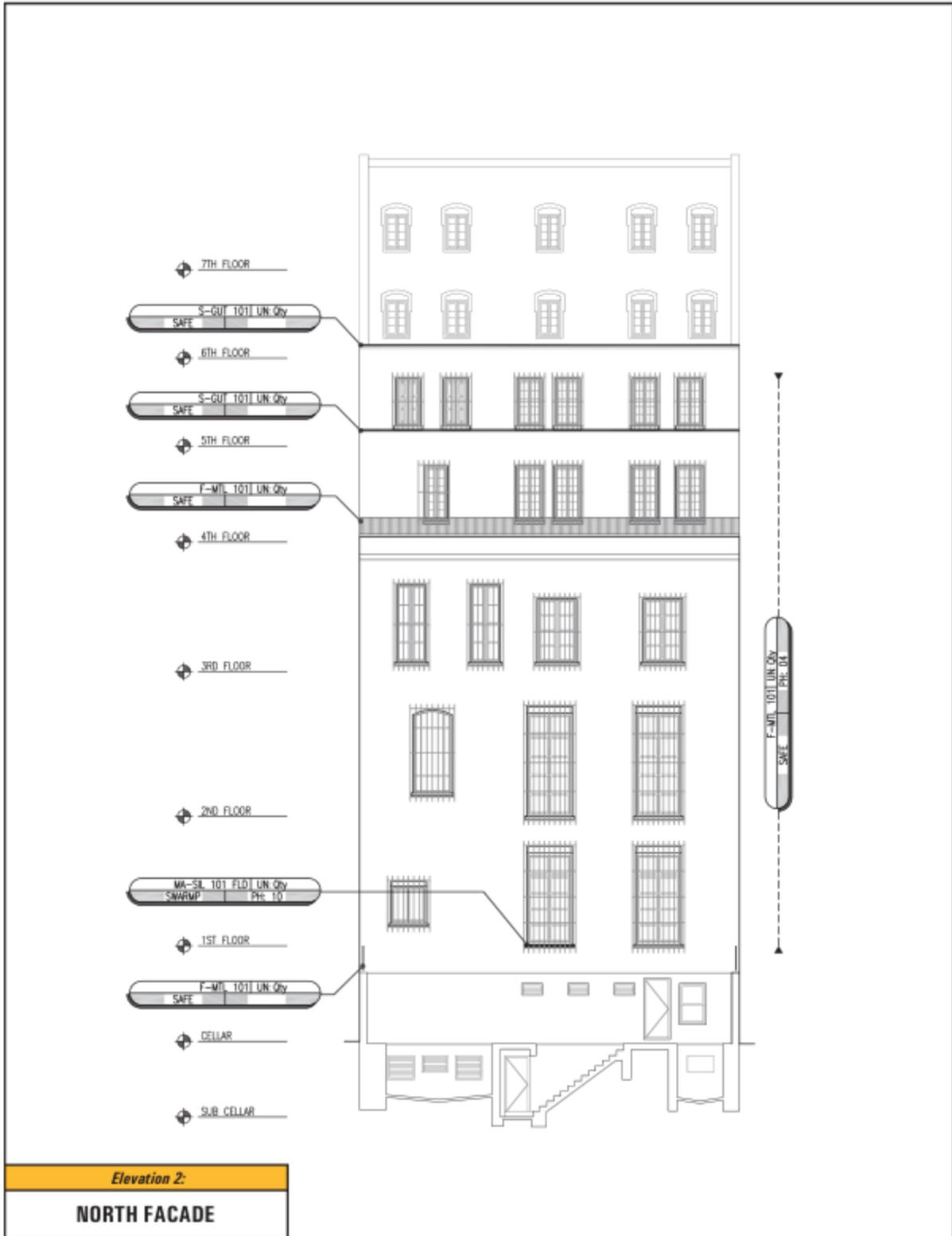
P. APPENDIX 5: REFERENCE DRAWINGS: ROOF PLAN



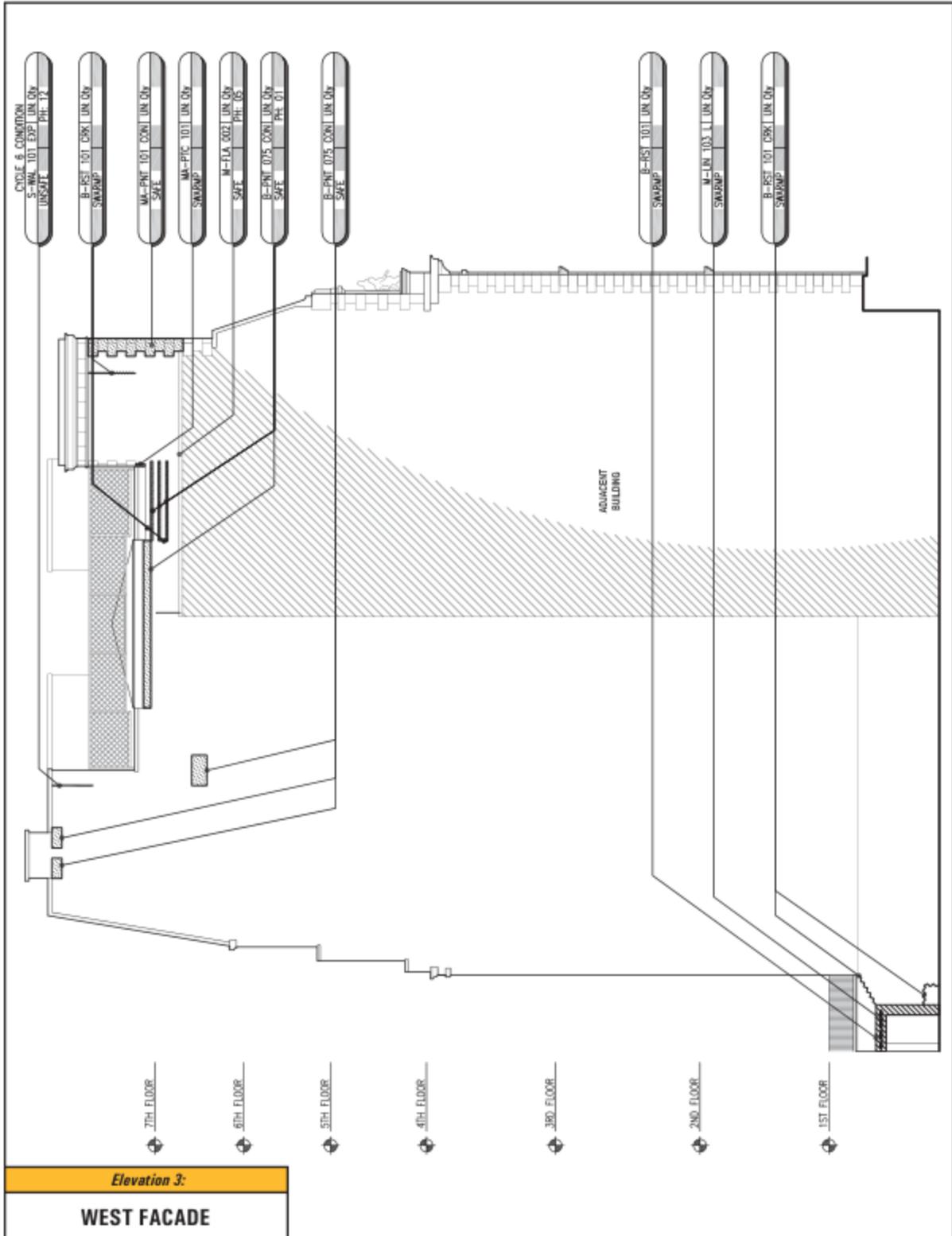
P. APPENDIX 6: REFERENCE DRAWINGS: ELEVATIONS



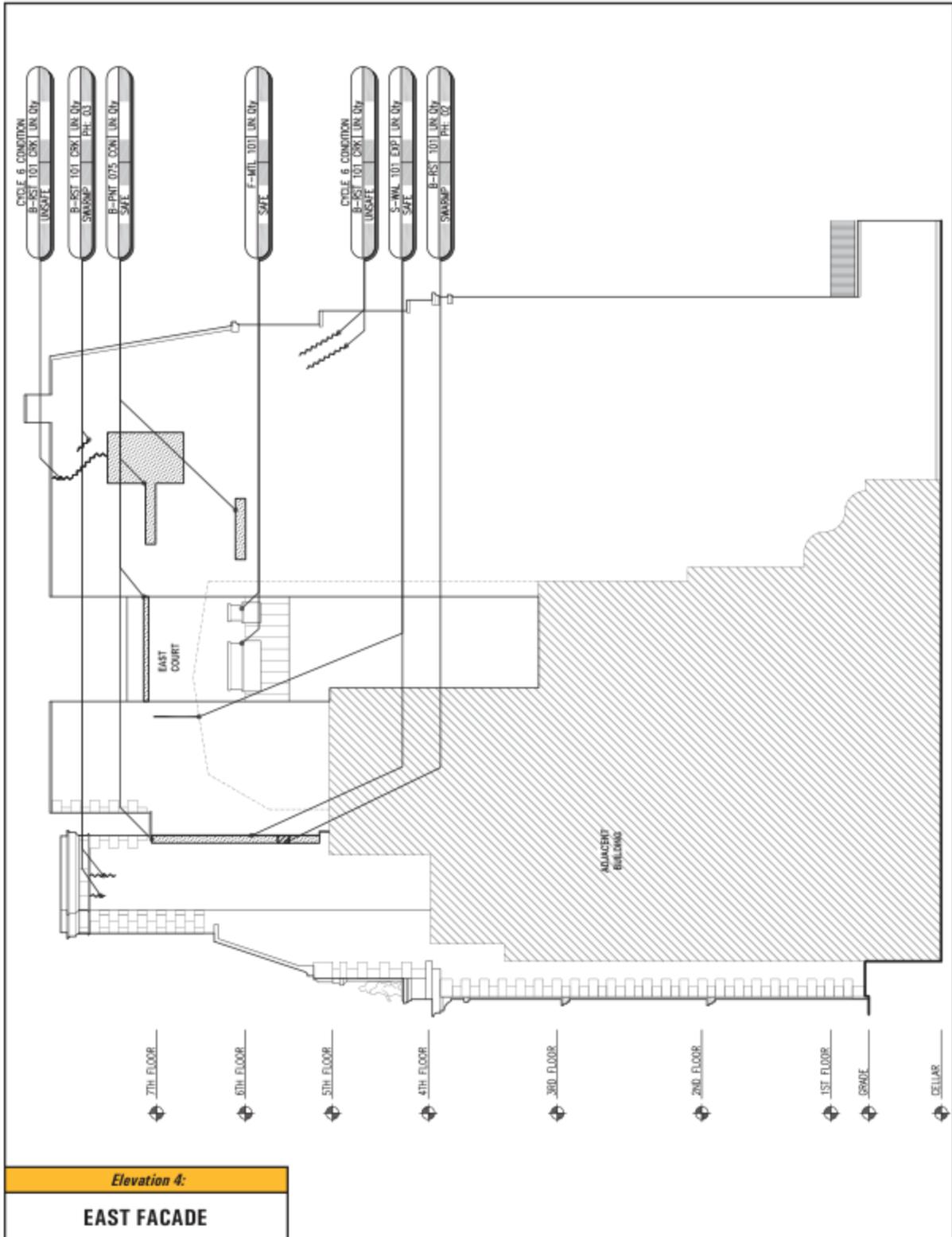
P. APPENDIX 6: REFERENCE DRAWINGS: ELEVATIONS



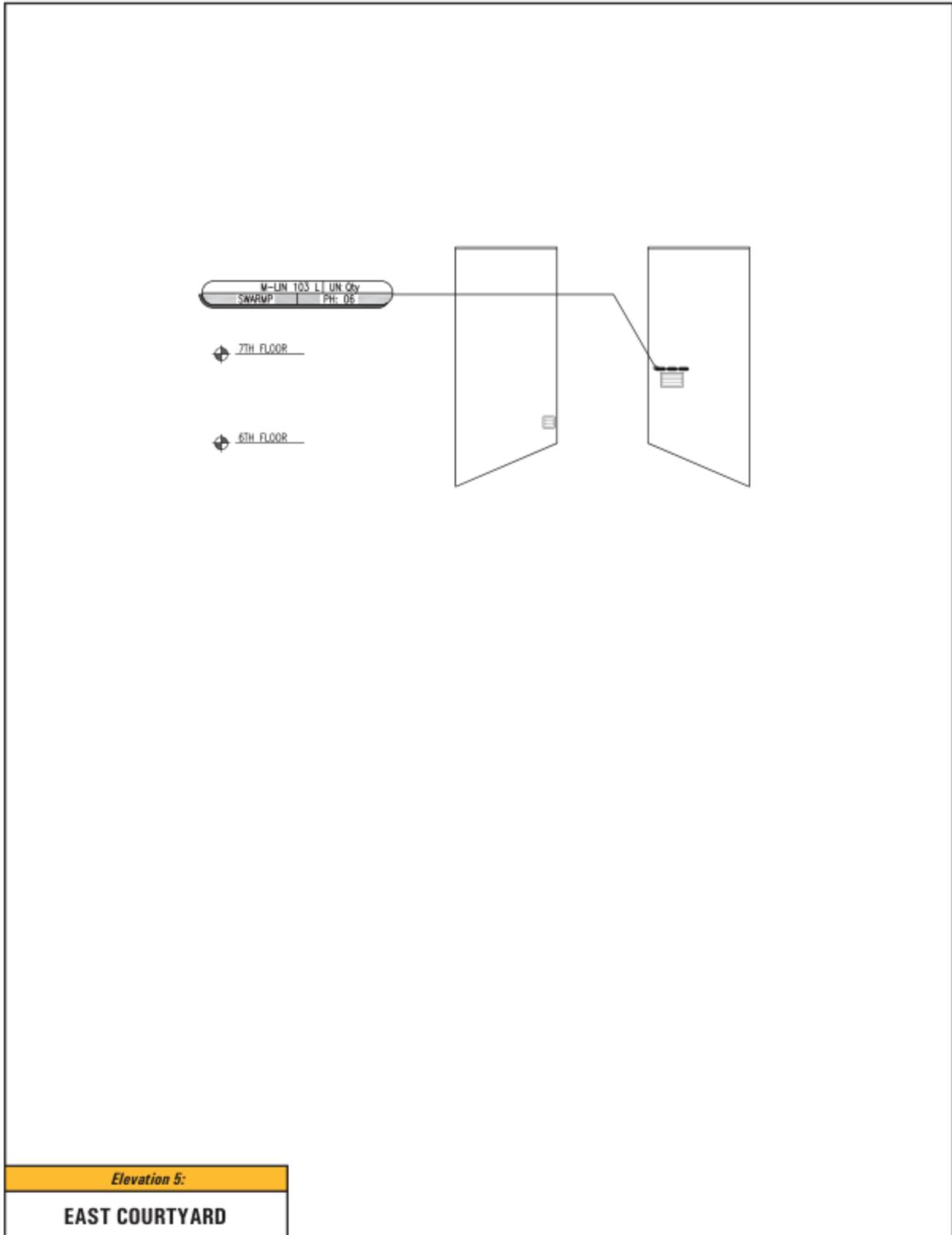
P. APPENDIX 6: REFERENCE DRAWINGS: ELEVATIONS



P. APPENDIX 6: REFERENCE DRAWINGS: ELEVATIONS



P. APPENDIX 6: REFERENCE DRAWINGS: ELEVATIONS





P. APPENDIX 7: MAINTENANCE RECOMMENDATIONS

Maintenance Recommendations: The following recommendations pertain to normal building maintenance practices which are not within the scope of this Report. They are intended for implementation by Building Management:

- The condition of the building facades and appurtenances should be monitored regularly and routine maintenance performed. Maintain a file of building leaks and of work performed on the building's envelope.
- Potential problems should be promptly referred by Building Management to a registered architect or professional engineer to determine whether precautionary or corrective work is required.
- Window ledges, terrace, railings and other areas should be monitored to confirm that no loose or unstable items or objects that may fall are placed upon them. These items are sometimes installed on a temporary basis.
- Periodically verify that window mounted, through-the-wall and other removable air conditioner units are properly installed, and supported at all times.
- Roof and terrace drains should be monitored and maintained clear at all times.



P. APPENDIX 8: LIMITATIONS OF INSPECTION & REPORT

Limitations of Inspection & Report:

Nothing in this report is intended as an opinion as to the adequacy of the original design, construction, any additions, repairs or maintenance work, past or future.

Dimensions included herein are approximate, within the accuracy requirements of the report. Information as to building age and history have been obtained from independent sources and accuracy is not guaranteed.

This report was prepared solely for compliance with the requirements of Local Law 11/98 for Periodic Inspection of Exterior, Walls and Appurtenances. This inspection was limited to a critical visual and physical inspection of building elements evaluated herein, preparation and filing of this report. The opinions expressed in this report are based upon conditions observed at the dates of inspection. This report is without benefit of an inspection involving sub-surface exploration, testing, or structural analysis.

The repair recommendations contained herein are general in nature and further, detailed information will be required for construction purposes.

A copy of this report was given to the Owner prior to filing with the Department of Buildings and no exceptions were taken. The owner has acknowledged awareness of the required repairs and/or maintenance, if any, and the time frame for same.