THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS

DEPARTMENTAL MEMORANDUM

DATE: May 29, 1978

TO: Borough Superintendents

FROM: Acting Director of Operations, Philip E. Olin, P.E.

SUBJECT: UNSAFE BUILDING ORDERS - Sections C26-80.0 to C26-84.0
Administrative Code

The following procedures shall be observed in processing and
examination of requests relating to unsafe building orders:

A. PROCESSING:

1. When an unsafe building order is filed, notice
shall be sent by mail to the owner. Where the
buildings are multiple dwellings, the owner
registration files shall be used to determine
the names and addresses of owners. Also, the
Real Estate Guide shall be consulted for each
building. Notices shall be sent to the owners
so determined. Where different owners are listed
in the above sources, notice shall be sent to
each person.

2. Upon issuance of an unsafe building order, a title
search shall be requested from "Operations." Such
requests shall be routed through the Executive Chief
Inspector.

3. Where possible, the Law Department is to be given at
least ten days notice of the date when a case will be
presented in court for precept. Personal service shall
be made on the persons determined by the title search.
Where more than one person is listed, a process server
shall visit the address as determined by the title
search. Where personal service cannot be made, service
shall be made by mailing and posting in accordance with
Section 643a-3.0 of the Administrative Code. Notice of
issuance of a precept shall be sent to the Director of
Demolition (H.P.D.) five days after issuance, so that
demolition may be arranged.

4. After a precept has been obtained, the building is to
be demolished unless the owner proceeds immediately to
make the building safe, in accordance with the unsafe
building order. In such case the unsafe building order
shall not be dismissed until approval of the dismissal
is obtained from the Director of Demolition (H.P.D.)
and from the Law Department.

RESCINDED
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B. SEALING:

1. Vacant, unguarded buildings may be considered secure against unauthorized entry only if there is compliance with the Department of Buildings Rules Relating to Sealing Exterior Openings of Vacant Unguarded Buildings (See Attachment #1).

2. When there is compliance with an unsafe building order prior to issuance of a precept, because the openings have been properly sealed in conformance with the rules, and the order requires no other work to be done, it shall be dismissed after inspection and report of compliance.

C. STAYS:

1. Except as provided in paragraph 2, when a stay of prosecution of an unsafe building order is requested before a precept has been issued, no stay shall be granted. The applicant for the stay shall be advised that compliance with the order will be required and that upon compliance, the unsafe building order will be dismissed. No permit to alter a building, where an unsafe building order is pending, shall be issued unless there is compliance with paragraph 2.

2. Regardless of the status of an unsafe building case, unless the building is sealed in conformance with Building Department rules, or is made structurally safe where so required by order, a stay of the unsafe building order shall not be granted, except in accordance with the following circumstances and procedures:

   a. Privately Owned Prior to Precept
   Where an applicant provides proof to the satisfaction of the Borough Superintendent that he is ready to start rehabilitation immediately. Normally the proof would consist of architectural/engineering plans filed with an application, a work permit ready to be issued (required insurance in force), a notarized "waiver to seal" affidavit and payment of outstanding fees.

   b. Privately owned Buildings with Precepts, or Government Owned Buildings
   Requests for abatement of the order or the precept shall be referred to the Demolition Division of the Department of Housing Preservation and Development for decision. A referral shall not be made unless there is compliance with the requirements of paragraph C-2(a). Refer to Sample "Stay" of Demolition Requests (Attachment #2).
DEPARTMENT OF BUILDINGS

Re: Postcard for Demolition - Queens

Premises: 104-48 W. 71st St. 

Block No. 3221 Lot 45

U.B. No. 1/77 Precept Date 7-27-77

Demolition Card Fowarded On 9-2-77

Application No. Alt. or B.N. ALP 1942/43

Dear Sir:

Application has been filed at this office for work to be done at the above premises. It is requested that you withhold further action on this demolition for a period of 90 days.

You will be notified upon completion of this work within the stated time.

Thank you for your cooperation in this matter.

[Signature]

Borough Superintendent
Department of Buildings

ATTACHMENT Z

RESCINDED 1487
Rescinded by
Buildings Bulletin 2020-016

Pursuant to Section 141 of the New York City Charter and by virtue of the authority vested in me as Commissioner of Buildings by Section 1804 of such Charter and in order to carry out the purposes of the Administrative Code of The City of New York and with the approval of the Administrator of the Housing and Development Administration, the following Rules and Regulations relating to the sealing and protection of vacant and unguarded buildings are hereby promulgated and are published in their entirety to supersede the old rules.

Rules and Procedures Relating to the Sealing and Protection of Vacant and Unguarded Buildings

Where buildings are vacant and unguarded, open to unauthorized entry and are required to be sealed by the provisions of an existing building code, they shall be sealed and protected in the following manner:

A. Buildings with exterior walls constructed of brick or other masonry:

1. All exterior openings including doors, windows, in the cellar floor, in the story at street level, in the second story above street level, on the roof, or in any other part of the building, shall be sealed with concrete blocks. Door openings, when visible from the street, shall be at the discretion of the owner, be sealed with a door. The door shall be of solid wood, with a 20-gauge steel or constructed of 1-inch by 6-inch tongue and groove boards, with cross and diagonal battens of 1-inch boards and covered with 26 U.S. gauge galvanized steel with edges turned over and nailed with head galvanized nails. The door shall be hinged in such a manner that no parts of the door are exposed on the outside of the door on either the hinges or the butt. Hinges shall not have removable pins. Two hasps and locks shall be provided, located so as to divide the height of the door in equal sections.

2. Concrete blocks shall conform to the provisions of Reference Standard RS-10 of the Administrative Code.

3. All door and window frames shall be removed before concrete blocks are installed. Brickwork which new concrete blocks will abut shall be cleaned and thoroughly wetted before blocks are installed.

4. Doors and windows, not exceeding 6 feet in width, shall be sealed with concrete blocks at least 8 inches thick. Openings exceeding 6 feet in width shall be sealed with concrete blocks at least 12 inches thick.

5. Concrete blocks shall be laid in masonry cement mortar with a mix of not more than three parts of sand for each part of masonry cement by volume. Joints in masonry shall be broken. Masonry cement shall conform to the provisions of Reference Standard RS-10. Joints on the exterior faces shall be struck and shall be provided with a smooth finish.

6. Openings in masonry walls, which are not required to be enclosed with concrete blocks in accordance with paragraph A1, shall be sealed with boards covered by sheet metal in the manner specified in subdivision D of these rules.

B. Buildings with exterior walls constructed of material other than masonry:

1. All exterior openings in walls of buildings which do not have walls constructed of masonry shall be sealed with boards covered by sheet metal in the manner specified in subdivision D of these rules.

C. Openings in roofs shall be sealed as follows:

1. Roof bulkheads, skylights, ventilating equipment and similar structures shall be completely removed, except that roof bulkheads and dumbwaiter shafts of masonry construction extending above roof level need not be removed if all openings in such structures are sealed with concrete blocks in a manner prescribed above. Openings remaining a tier removal of such structures shall be sealed with 1-inch tongue and groove boards, not less than 6 inches in nominal width, laid on 3-inch by 6-inch joists, not more than 16 inches on center. Joists shall be secured to the roof timbers framed above the opening in a sound and secure manner. Boards shall be covered with roofing to provide a watertight durable cover.

D. Sealing of openings by boards covered with sheet metal, where permitted under paragraph A6 in masonry walls and under paragraph A1 in walls of material other than masonry, shall be done in the following manner:

1. Boards shall be 1-inch by 6-inch cut to a length to fit the height and width of the wall opening, with cross and diagonal battens of 1-inch boards, on the inside, or shall be 24-gauge grade plywood, at least 1/2 inches in thickness, cut to fit the wall opening on the inner side of the window frame.

2. Outside of exposed surfaces of the boards or plywood shall be covered with No. 26 U.S. gauge galvanized steel, with edges turned over and nailed with flat head galvanized nails.

3. Boards shall be nailed to the sides, top and bottom of the window frame with 16-penny, 3½-inch nails, where the window frame is in good, firm condition. Where the window frame is loose or defective, the boards shall be securely fastened to the brick wall.

E. Utilities and Service Lines. All gas, electric, water, steam and other service lines to the building except sewer lines shall be disconnected and notifed to the building officers by the respective utility companies or City agencies having jurisdiction shall be filed with the department.

F. Prior to the completion of required sealing of exterior openings as detailed pursuant to Paragraphs A, B, C and D above, all combustible debris, rubbish, abandoned furniture or materials capable of supporting combustion shall be removed from the premises.

I hereby certify that good cause exists for waiving the requirement that thirty days shall elapse after publication in The City Record and that the foregoing rules and regulations relating to the sealing and protection of vacant and unguarded buildings shall take effect immediately.

Rescinded by
Buildings Bulletin 2020-016

The Commissioner of Buildings

[Signature]

Date: October 10, 1933
Dear Sir:

Application has been filed at this office for work to be done at the above premises. It is requested that you withhold further action on this demolition for a period of 90 days.

You will be notified upon completion of this work within the stated time.

Thank you for your cooperation in this matter.

H. Irving Singer
Borough-Supervisor
Department of Buildings