

Engineer's Corner: Local Law 11/98 (FISP) Subsequent and Amended Reports

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Since the filing of the initial 7th cycle Local Law 11/98 report deadlines have passed, it's very important for Owners and Managing Agents of properties classified as either Safe With A Repair And Maintenance Program (SWARMP) or Unsafe to recognize the differences and benefits of filing either Subsequent or Amended Reports since both reports allow proactive Owners to change the classification of their buildings and update the DOB façade status record before the beginning of the 8th cycle of the Local Law.

SUBSEQUENT REPORT: Frequently Engineers and Architects will recommend repairing "Safe with a Repair and Maintenance Program" (SWARMP) conditions within a period of less than the maximum allowed 5 years repair window. A Subsequent Report documents the repair of SWARMP conditions, and allows Owners to change the classification of their buildings façade from SWARMP to SAFE. The report must be filed once the repair work is completed.

The process of filing a Subsequent Report is similar to the initial report filing process. An inspection of all the façade components and appurtenances, beside a physical examination of at least one representative sample of a street facing façade from either scaffolding or other observation platforms (balconies, fire escapes, etc.) must be conducted and documented.

Proper planning and scheduling of the façade repairs may save Owners time and cost by allowing the façade Engineer/ Architect to conduct the required physical examination from the same scaffolds used to perform the repair work.

AMENDED REPORT: If the building was classified as "UNSAFE" in the initial Local Law report, then an Amended report must be filed to change the classification of this building façade to "SAFE" or 'SWARMP" as defined in Subchapter C of Chapter 100 of 1 RCNY §103-04. If a building is classified as "UNSAFE", the Owner is obligated to immediately install a sidewalk shed, fences, and/or netting along the "unsafe" façades to ensure the safety of the public and adjacent properties.

According to RCNY §103-04 requirements, the safety measurements must remain in place until all the unsafe conditions are repaired and an Amended report is accepted by New York City Department of Buildings. The Amended Report must be filed within two weeks the completion of the repair work. As with the Subsequent Report the requirements of the Amended Report are very similar to those required for the filing of the Subsequent report. All the repairs of the unsafe conditions must be documented and photos of the repaired items should be included in the report.

Again, good planning and scheduling of the repair work can save Owners the time and cost of additional scaffold installation by allowing the Engineer or Architect to conduct the required physical inspection of a representative facade sample from one of the scaffolds used to conduct the repair work.

For more information regarding Local Law 11-98 Reports filing please feel free to contact Merritt Engineering or you may review the full requirements of 1 RCNY §103-04 as published on the Department of Buildings website:

http://www.nyc.gov/html/dob/downloads/rules/1_RCNY_103-04.pdf.