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# Memo

To: FISP Consultants. Industry update.

From: Timothy D. Lynch, P.E., Acting Assistant Commissioner

Date: Sept 6<sup>th</sup>, 2013

Re: FISP Cycle 7 report: Balcony enclosures. Structural soundness and connections

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**1.0 Introduction :** Per the NYC Administrative Code §28-103.8&9, §28-302 and the recently amended rule RCNY 103-04, owners of buildings exceeding 6 stories in height must provide inspection reports for the condition of the building facades, in particular, appurtenances such as balconies and handrails. Please note, **amended** rule RCNY 103-04 specifically requests that the balcony railings and connections be checked for structural soundness.

Regarding Cycle 7 reports submitted PRIOR to the enactment of amended rule 103-04, see attachment below, IF the balcony railings and their connections were not specifically checked, the owner must have all these items evaluated, and the Cycle 7 reports supplemented with an affidavit from the owners Cycle 7 FISP consultant. This inspection work may be performed by a qualified representative of the Cycle 7 FISP consultant OR alternately, a specialty vendor with a qualified engineer who can evaluate the railings and connections per the FISP consultant specifications. The FISP consultant may determine that ALL balcony railings should be checked, instead of a representative sample. Defective balcony railings or connections may govern the status of the façade and may require a change in status from that reported in the initial report.

**2.0 Affidavit / supplemental report format:** This supplemental report shall be crafted according to the amended rule 103.04 (b) (3), Item G: Appurtenances.

**3.0 Status:**

**3.1 For Cycle 7 reports already submitted:** If there is no change to FISP status, the Cycle 7 report stands as submitted.

IF the observations reveal that the balconies, handrails or connections are UNSAFE, then a FISP 3 Unsafe Notification must be submitted, along with ownership letter stating the balconies have been VACATED and made safe, and access to these areas secured with locks etc, and or, sheds installed or the likes. A SUBSEQUENT report must be submitted shortly thereafter ( not exceeding 2 weeks ). Resubmission fee \$100.

**3.2: For INITIAL Cycle 7 reports which are now regarded as late filings:** follow rule.

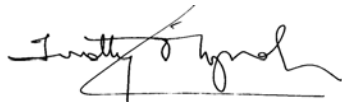
**RCNY 103-04 effective Jan 28, 2011, Amended rule 05-17-13 :**  
***Add a requirement that the Qualified Exterior Wall Inspector (QEWI) must inspect the structural soundness and connections of the balcony enclosures even if a report for cycle seven, which runs from February 21, 2010, to February 20, 2015, has been filed for the building. A recent balcony accident highlighted that many balcony railings are uninspected and may be unsafe. With this rule, the Department specifically requires all owners to check periodically the adequacy and structural integrity of all of their balcony railings. This new provision in no way affects the existing requirement to check periodically the adequacy of all aspects of the façade and its appurtenances.***

4. 0. Links : There are some useful links can help with copies of forms, fee schedules, penalties, Laws, Rules etc..

[http://www.nyc.gov/html/dob/html/development/forms\\_facade.shtml](http://www.nyc.gov/html/dob/html/development/forms_facade.shtml)

[http://www.nyc.gov/html/dob/html/codes\\_and\\_reference\\_materials/rules.shtml](http://www.nyc.gov/html/dob/html/codes_and_reference_materials/rules.shtml)

[http://www.nyc.gov/html/dob/html/safety/facade\\_safety\\_program.shtml](http://www.nyc.gov/html/dob/html/safety/facade_safety_program.shtml)



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