

IN THE COURTS

ASK THE ADMINISTRATOR

The litigation and potential criminal cases that will and are coming out of the major Bronx fire that occurred just weeks ago will continue to make headlines for years. I write this column with a heavy heart and soul. I grieve for the families whose lives will never be the same and for my fellow firefighters who fought the deadly blaze and were also called upon to rescue and unfortunately apply life saving techniques for residents', young and old.

Fire safety is the responsibility of everyone, tenants and building owners alike. It is not singularly the owner's responsibility. However, as we all know, the City and State place primary responsibility on owners for pretty much all problems that exist in a building or property whether caused by the owner or not. This column is not here to debate that fact but rather here to provide reminders of what you can do to improve fire safety. Steps you take now are crucial in protecting residents in the event of a fire.

If you are not sure of what you need to do to be fire safety compliant, immediately contact one of the excellent RSA Counselors for guidance. No better time than today to do that. What follows below is crucial guidance that all owners need to follow.

1. Are your doors self-closing? While the law says all multiple dwellings should have self-closing doors for any door that opens into a stairwell or corridor, I would recommend you do it for any size building, even one- or two-family dwellings. You and/or your managing agent should visit every apartment you own or manage and check for yourselves. This is part of good building management. Establish a dialogue with your tenants and use the time to also possibly inspect apartments to see if any work needs to be done to that apartment. Leaking faucets? Broken windows? Peeling paint? Missing Window Guards? The list is long. Just do it, please.
2. Have you posted and taken a picture of the posting of **Close the Door Notice** on each Stairwell door? That Notice is required on the hallway corridor side of each stairwell door in the building. You are responsible for replacing them should they be removed or vandalized. You can purchase this notice in the form of a sticker directly from RSA.
3. For each apartment, a Fire Safety Notice should be affixed to the inside of the main apartment door. The Notice advises tenants what to do in case of a fire. There are separate Notices for Combustible and Non-Combustible Buildings. Starting this year, residents must certify that the Notice is affixed to the inside of their apartment door. If you do not receive a resident certification, you must conduct a visual inspection to verify its presence. If it is missing or damaged, you are responsible for replacing this Notice.
4. Have you replaced any old smoke detectors with smoke and CO detectors? Inspect apartments! Often tenants remove them or break them and do not tell the property owner. If the law says install one, I humbly suggest you install two.
5. Have you distributed the 2021 Fire Department Emergency

Preparedness Guide, Building Information Form and the Individual Emergency Preparedness/Evacuation Planning Checklist? The Guide and Checklist must be distributed every three years, and this is a year you are required to do so.

6. Have you sent out the Stove Knob Cover Notice and provided Stove Knob Covers if requested by the tenant?

Once you are in compliance with the above, make sure you keep records of having done so as you may be audited and fined if you fail to produce proof upon request.

Like mine and many fire departments, we visit schools to teach the students the importance of fire safety because education starts and continues with the young. You should ask your local Fire Department or hire an outsider to give your tenants pointers on fire safety and make sure to stay on top of the notices all the time. ■



Article provided by Howard Stern, Esq., Administrator of the RSA Legal Plan for small property owners, whose is solely responsible for its content. He is a volunteer firefighter and a Fire Commissioner in the town he resides in and member of the Westchester County Board of Fire Advisors to the Westchester County Executive.

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