## DUE DILIGENCE REPORT

NEW YORK, N.Y. 10027

# HPD MULTIPLE DWELLING REGISTRATION DHCR REGISTRATION IDENTIFICATION #: N/A

#### PREPARED FOR

#### PREPARED BY

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#### Introduction

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This report includes our due diligence research findings and analysis of th
uilding located at New York, N.Y. 1002
Manhattan Block 1951, Lot 7). As previously reported, we ruled out the need fo
ent regulatory due diligence, since the building is properly used as a church i
ompliance with the Certificate of Occupancy filed at the Department of Building
nd since the only person residing at the building is the pastor of the church So long as the building is delivered vacant a
losing, we do not see any issues of concern from a landlord-tenant law perspective.
The due diligence research reported here is based on court investigations an ur review of the status of any open violations issued against the building by th
Department of Housing Preservation and Development of the City of New York an
he New York City Department of Buildings.

In court investigations, we searched the files of the Supreme Court of the State of New York, New York County, the Civil Court of the City of New York and the Housing Court of the City of New York for past and pending litigation with respect to the building,

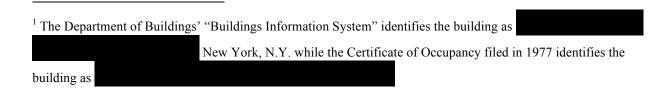
Our court investigations also included a review of any judgments and liens held against the property.

Our investigations produced the following results.

#### Overview of the Building

The building is properly used as a church and consists of four stories. The Certificate of Occupancy issued by the Department of Buildings on or about April 21, 1977, authorizes the cellar level for use as a boiler room and storage, the 1<sup>st</sup> floor as a church, the 2<sup>nd</sup> floor as a kitchen and accessory dining room and the 3<sup>rd</sup> level as "vacant". We recommend you walk through the building, if you have not already, to confirm that the actual use of each floor is consistent with the use allowed by the Certificate of Occupancy for the building. We provide a copy of the Certificate of Occupancy with this report.

#### Chain of Title Issue Identified



A correction deed for the property located at Brooklyn, N.Y. is recorded under the block and lot for this building. Jack Erdos, Esq., is already investigating and working with a title company to deal with this obvious chain of title issue. We provide a copy of the St. James Place deed as well as the deed for this property together with this report for your reference.

Please note that our due diligence research does not usually deal with title issues like the one identified here. Since we review the ACRIS filings for the building to identify the party names to run in court investigations, we often uncover chain of title issue such as the one identified here. But please be advised that our research is not a substitute for a full title report that you may choose to run even at this stage of the deal.

## New York City Violations Issued Against the Building

## NYC Department of Buildings (DOB)

The DOB Property Profile Overview for this building is provided below.

#### **NYC Department of Buildings**

Property Profile Overview

HANCOCK PLACE	19 - 23	Health Area	: 1400	Tax Block	_
DR M L KING JR BOULEVARD	362 - 370	Census Tract	: 209.01	Tax Lot	
WEST 125 STREET	362 - 370	Community Board	: 109	Condo	: NO
		Buildings on Lot	: 1	Vacant	: NO
View DCP Addresses	<b>Browse Block</b>				
<b>View Zoning Documents</b>	View Challenge Results	Pre - BIS PA		iew Certificate Occupancy	s of

Cross Street(s): , MORNINGSIDE AVENUE

**DOB Special Place Name:** 

DOB Building Remarks:

Landmark Status:Special Status:N/ALocal Law:NOLoft Law:NOSRO Restricted:NOTA Restricted:NO

**UB Restricted:** NO

**Environmental** HAZMAT/NOISE/AIR **Grandfathered Sign:** NO

**Restrictions:** 

Legal Adult Use: NO City Owned: NO

**Additional BINs for** 

Building: NONE

**Special District:** 125 - 125TH STREET

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

**Department of Finance Building Classification:** 

SYNAGOGUE

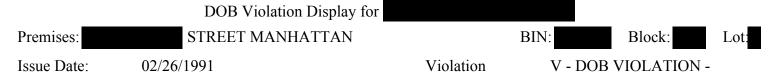
**Please Note:** The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	<b>Elevator Records</b>
<b>Complaints</b>	6	0	<b>Electrical Applications</b>
<b>Violations-DOB</b>	11	3	<b>Permits In-Process / Issued</b>
Violations-ECB (DOB)	1	1	<b>Illuminated Signs Annual Permits</b>
Jobs/Filings	4		<b>Plumbing Inspections</b>
ARA / LAA Jobs	1		Open Plumbing Jobs / Work Types
Total Jobs	5		<u>Facades</u>
Actions	141		<b>Marquee Annual Permits</b>
110000			Boiler Records
OR Enter Action Type:			<b>DEP Boiler Information</b>
OR Select from List:   Select		_	Crane Information
AND Show Actions 4	1059296		After Hours Variance Permits

## **DOB Violations**

As you can see on the above Property Profile Overview, there are three open DOB violations and one open Environmental Control Board violation. Your contract negotiations should ensure that either these violations be corrected and certified before the DOB or a credit issued to cover your exposure to fines, if any, and the costs to correct the violations. For your ready reference, details on the four open violations are below.

#### **NYC Department of Buildings**



Violation Type:	C - CONSTRUCTION	Category:	ACTIVE	
Violation Number: ECB No.: Infraction Codes:		Device No.:		
Description: Disposition: Code: Inspector: Comments:	Date:			
	NYC Department	of Buildings		
	DOB Violation Display for			
Premises:			BIN:	Block: Lot:
Issue Date:	12/31/2009	Violation Category:	V - DOB VIOLATION - ACTIVE	
Violation Type:	LBLVIO - LOW PRESSURE BOILER			
Violation Number:		Device No.:	- 01- COMMERCIAL	
ECB No.:				
Infraction Codes: Description:				
•	the Civil Penalty Chart.			
Disposition:				
Code:	Date:			
Inspector: Comments:				
• • • • • • • • • • • • • • • • • • • •	<b>NYC Department of Buildings</b>			
DOB V	iolation Display for			
Premises:	STREET MANHATTAN	BIN:	Block:	Lot:
Issue Date:	12/13/2011	Violation Category:	V - DOB VIOLATION - ACTIVE	
Violation Type:	LBLVIO - LOW PRESSURE BOILER	<u> </u>		

Violation - 01-Device No: Number: **COMMERCIAL** 

ECB No.:

**Infraction Codes:** 

VIOLATION ISSUED FOR FAILURE TO FILE ANNUAL BOILER 2010 INSPECTION Description:

**REPORT** 

Click here to view the Civil Penalty Chart.

Disposition:

Code: Date:

Inspector: Comments:

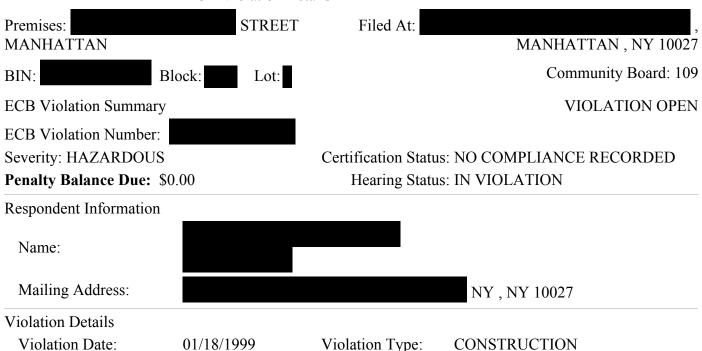
Served Date:



CLICK HERE TO SIGN UP FOR BUILDINGS NEWS

#### **NYC Department of Buildings**

**ECB Violation Details** 



01/30/1999 **Inspection Unit: Infraction Codes** Section of Law Standard Description FAILURE TO MAINTAIN EXTERIOR BUILDING B6A 27-127 WALL (HAZARDOUS)

Specific Violation Condition(s) and Remedy:

FAILURE TO MAINTAIN EXTERIOR BLDG WALL. THE DECORATIVE, ALUMINUM SIDING AT THE FRONT PARAPET IS MISSING & DEFECTIVE. THE MASONRY AT THE SAME LOCATION (FRONT/WEST) IS LOOSE, BROKEN, MISSING & IN DANGER O

**DOB Violation Number:** Issuing Inspector ID: 0051

Issued as Aggravated Level: NO

Dept. of Buildings Compliance History and Events

**Certification Status:** NO COMPLIANCE RECORDED Compliance On:

A Certificate of Correction must be submitted to the Administrative Enforcement Unit (AEU) for all violations. A violation that is not dismissed by ECB will continue to remain ACTIVE or "open" on DOB records until acceptable proof is submitted to the AEU, even if you have paid the penalty imposed by ECB.

**ECB** Hearing Information

**Scheduled Hearing** Hearing Status:

IN VIOLATION **Date/Time:** 03/18/1999 10:30

**ECB Penalty Information** 

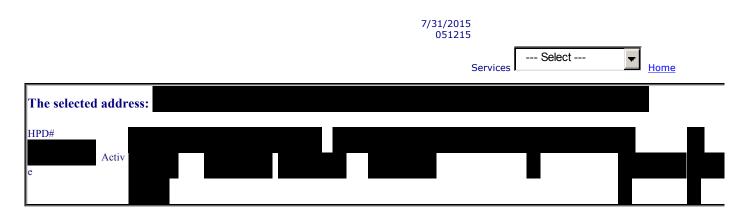
Penalty Imposed: \$800.00

Adjustments: \$0.00 Amount Paid \$800.00

Penalty Balance Due: \$0.00

## Department of Housing Preservation and Development of the City of New York ("HPD")

We provide the HPD Building Registration Summary Report for the building below. Since the building is operated as a church and so is not a multiple dwelling as defined by the Housing Maintenance Code, it does not need to be registered with HPD annually. Nonetheless, we note that there are no violations considered open by HPD.



One and two family properties are not required to register with HPD unless neither the property owner on the premises. Owners of these properties can register after obtaining a Registration Number. For I Registration Number and register, please return to the HPD home page and search for

No violations were retrieved.

#### **Property Shark Report**

We provide a copy of the Property Shark Report for the building together with this report. It includes information pertaining to the neighborhood, ownership, property tax assessment, zoning and size.

## Court Investigations

## Housing and Civil Court Cases

We ran party name and building address searches on the databases of the Housing and Civil Court. The party names we searched are

the person who holds the St. James Place deed which is erroneously recorded against this building. We did not find any past or pending litigation in Housing and Civil Court.

## Supreme Court

We ran the same party name and building address searches on the databases of the Supreme Court of the State of New York, New York County, and did not find any past or present litigation involving the parties or the building.

We ran a judgment and lien search by block and lot number and found one sidewalk lien issued on September 21, 1993. Generally, a sidewalk lien is placed against a property by the City of New York after it undertakes to cure a sidewalk condition that was not timely cured by the property owner. That lien was cancelled on August 9, 1994. We did not find any other judgments or liens against the

building. Screenshots  $^2$  of details on the 1993 sidewalk lien are provided with this report.

As you know, customarily prior to closing a title search is run on the property which provides a more complete and up to date picture of the liens held against the property.

<sup>2</sup> The printer at the courthouse was broken at the time we conducted our court investigations research. Our paralegal photographed the pertinent screens with his smartphone.

## Conclusion

Only one regulatory issue stands out in this investigation: the failure to file a boiler inspection. This can be a red flag for the maintenance of the boiler and we recommend that you look into this carefully. The issue with regard to exterior walls, we have to assume, already came to your attention when you looked at the building yourself.

There are no other issues that come to mind and there is nothing particular noteworthy about this property, from a regulatory point of view.