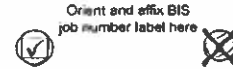




TPP1: Tenant Protection Plan

Required if dwelling units will be occupied during construction. Owner must notify the Department at least 72 hours before commencing work in connection with the Tenant Protection Plan.



1 LOCATION INFORMATION *(required for all applications)*

House No(s): 11 Street Name: Fifth Avenue

Number of dwelling units to remain occupied during construction: 267

Specific unit/apartment numbers to remain occupied: All units to remain occupied.

Borough Manhattan Block 566 Lot 1 BIN 1009222 CB No. 102

2 TENANT PROTECTION PLAN

Required for all applications with occupied dwelling units (AC 28-120.1). Means and methods shall be described with particularity and in no case shall terms such as 'code compliant,' 'approved,' 'legal,' 'protected in accordance with law' or similar terms be used as a substitute for such description. The Tenant Protection Plan must be site specific. The elements of the Tenant Protection Plan may vary depending on the nature and scope of the work but at a minimum, must comply with all applicable laws and regulations, including the NYC Construction Codes, the NYC Housing Maintenance Code, the NYC Noise Control Code, and the NYC Health Code, and shall make detailed and specific provisions for:

1. **Egress** – Clarify how adequate egress will be maintained during construction.
2. **Fire Safety** – Identify safety measures to maintain fire safety of occupied dwelling during construction.
3. **Health Requirements** – Specify methods to be used for control of dust, disposal of construction debris, noise control, maintenance of sanitary facilities during construction.
 - 3.1. **Lead and asbestos** – Statement of compliance with applicable provisions of law relating to lead and asbestos, such statement shall describe with particularity what means and methods are being undertaken to meet such compliance.
4. **Compliance with Housing Standards** – Demonstrate compliance with NYC Housing Maintenance Code and NYS multiple dwelling law during construction.
5. **Structural Safety** – Identify specific measures to maintain structural stability during construction.
6. **Noise Restrictions** – Identify specific means and methods to be used for the limitation of noise to acceptable levels in accordance with the NYC Noise Control Code.
7. **Maintaining Essential Services** – Describe the means and methods to be used for maintaining heat, hot water, cold water, gas, electricity, or other utility services in accordance with the requirements of the New York City Housing Maintenance Code. Specify if a disruption of any such service is anticipated during the work, including the anticipated duration of such disruption and the means and methods to be employed to minimize such disruption, including the provision of sufficient alternatives for such service during such disruption. Notification of the disruption must be given to all affected occupants of occupied dwelling units.
8. **Other requirements** – Any additional requirements to assure tenant safety during construction.

Complete all sections that apply below.

1. **Egress:** The Agent or Owner for the Premises hereby states that they will maintain all services to the building. During construction specified in the Building Notice, all means of egress from the building shall be free of any obstruction such as building material, debris, etc. All entrance doors and lights in public areas shall be kept in working order to ensure proper egress in case of emergency.
2. **Fire Safety:** The Contractor shall be responsible for adequate fire safety in accordance with the fire department and the building department.
3. **Health Requirements:** All removals shall be performed in keeping with the best safety practices governing same and in accordance with all city, state and/or federal laws governing same. All debris resulting from the operation under this contract shall be immediately removed from the site and shall not be stored or permitted to accumulate on site. Upon completion of the work under this contract, the Contractor shall remove all tools, equipment, materials, apparatus, etc., and shall leave the premises clean, neat and orderly. Premises shall be broom swept. The Contractor shall leave the site clean after completion of the work. All debris shall be disposed of in a legal and proper manner. No debris shall be left in public hallways. Dust shall be controlled by the use of drop clothes and 6-mil plastic sheeting with zipper closure at the entrance to the work area.
4. **Compliance with Housing Standards:** If any services, such as hot and cold water, will be shut off for a period of time, it is the Owner's responsibility to notify the tenants in advance.
5. **Structural Safety:** The Contractor is solely responsible for any shoring required during the work. If there are any structural changes required during this building notice, a written notification will be sent to the engineer to examine the site or any risk of accidents which may occur during construction.
6. **Noise restrictions:** Construction hours are from 7:00 AM to 6:00 PM Monday through Friday. There will be no construction work during the evening hours or weekends unless approved by the department of buildings.
7. **Maintaining Essential Services:** There will be no interruption of hot water, cold water, gas, electricity, or other utility services in accordance with the requirements of the New York City Housing Maintenance Code.
8. **Other Requirements:** All work is to be performed on the exterior of the building; no change to egress is required.

If additional space is required, please complete and submit an A11 form.

3 TENANT PROTECTION PLAN ATTACHMENTS/DRAWINGS

Required for all applications where separate Tenant Protection Plan attachments/drawings are included. Please append legible 11" x 17" attachments/drawings to this document.

1. Do attachments/drawings accompany this TPP1? ☐ YES ☒ NO
2. If YES, how many pages?

4 OWNER'S STATEMENT(S) AND SIGNATURE (required for all applications)

I hereby certify that I have reviewed the information provided herein and, to the best of my knowledge and belief, attest to its accuracy. Falsification of any statement is a misdemeanor under §§28-211.1, 28-201.2.1(2), and 28-203.1(1) of the NYC Administrative Code and is punishable by a fine or imprisonment, or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of the New York City Administrative Code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. It is unlawful to give to a City employee, or for a City employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.

Name (print): Lisa Moretti

Relationship to Owner: Assistant Secretary

Business Name/Agency: The Third Brevoort Corp

Street Address: 70 East 10th Street

City: New York

State: NY

Zip: 10003

Telephone Number: 212-473-6288

Fax: 212-260-8007

Email Address: lisa.moretti@ellimanpm.com

Signature and Date ► Lisa Moretti 7/9/2020

5 APPLICANT'S STATEMENT(S) AND SIGNATURE (required for all applications)

I hereby certify that I have reviewed the information provided herein and, to the best of my knowledge and belief, attest to its accuracy. Falsification of any statement is a misdemeanor under §§28-211.1, 28-201.2.1(2), and 28-203.1(1) of the NYC Administrative Code and is punishable by a fine or imprisonment, or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of the New York City Administrative Code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. It is unlawful to give to a City employee, or for a City employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.

Name (please print) Eric W. Cowley, PE		Date <u>7/13/20</u>
Signature 		Date



P.E./R.A. Seal (apply seal, then sign and date over seal)