

JAMES C. COURI

575 MADISON AVENUE • 10TH FLOOR • NEW YORK, NEW YORK 10022 • TEL (212) 605-0277/(800) 798 6881 • FAX (212) 605-0222

MEMORANDUM

By Hand & Via Fax: 212-566-5575
212-566-5850
212-566-5261
212-566-5669
212-566-3843

To: Department of Buildings ("DOB")
280 Broadway, 7th Floor
New York, NY 10007

Attn: Legal Department Att Andrea
Commissioner Laura Osorio
Francine Rothenberg Audit Unit
Derick Peoples (Chief inspector)
Edward Mungin
Ms. Johnson - Enforcement Unit

Date: October 17, 2005

Re: 18 E 73rd Street, New York, NY 10021 (Violation 34451615K)

Ref: hazardous and illegal greenhouse perjured "Certificate of Correction" issued to DOB by owner Pavia (violation 3445161K)

In furtherance to my letter to the DOB by October 13, 2005, I write this letter regarding the hazardous conditions continuing to exist in my apartment 3B at 18E 73rd Street, New York, NY. On or about October 5, 2005, owner George Pavia admitted all material facts of violation 3445161K, including the fact that greenhouse is hazardous, a fire hazard, and illegally supported by 20E 73rd Street. (See attached Exhibits).

The ECB Court affirmed (in Order of September 29, 2005), all illegal conditions set forth in Violation 3445161K. The owner Pavia thereafter paid the fine, and after admitting to the Violation, Pavia filed a false "Certificate of Correction" with the Enforcement Unit, resulting in a bogus "approval", for "corrections" that never occurred. In fact, Pavia has not and could not correct this illegal greenhouse, due to its condition, and surely not, without filing plans and obtaining permits and approvals from the DOB. None of which has occurred.


Accordingly, this hazardous and illegal greenhouse structure remains in its original condition, in my apartment (3B) where it imperils the life and safety of me and my family. In fact my wife was almost and killed in February 2004 due to ice breaking thru the glass roof of the greenhouse. Thereafter Commissioner Osorio Ordered "the greenhouse is not for human habitation" on October 22, 2004.

Accordingly, since the ECB Court affirmed the Violation and all of its material facts, since Pavia has admitted to all of the Violations allegations, and since Pavia has filed a false "Certificate of Correction", I and my family are in very serious peril, unless the DOB immediately issues new Violations to protect our safety, from these hazardous conditions.

Accordingly I ask that the DOB immediately conduct a re-inspection of the greenhouse to see that nothing has been done to correct or cure the material facts of the Violation, and its hazardous condition. Pavia is engaged in criminal conduct.

As you know if any one in my family are injured, due to this hazardous greenhouse, (or a fire occurs as a result), and the DOB has failed to take **immediate steps** to protect our safety, the city and the DOB can be held accountable for any and all injury, loss, and damages that we suffer.

Thank you,



James C. Couri

Encls.

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JAMES C. COURI

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MEMORANDUM

Via Fax: 212-822-1401

To: Jay Itkowitz, Esq.
Itkowitz & Harwood, Esqs.
305 Broadway
New York, New York

From: James C. Couri

Date: November 7, 2002

Re: Your letter of 11-6-02

I respectfully refer you to my faxes of yesterday November 6, 2002 and November 5, 2002. OSH Plumbing (Oscar) and his staff advised me that no access to my premises was or is necessary, and the repairs made in Pavia's apartment were due to a leak caused by deteriorated galvanized iron drainpipe. This drainpipe is common to 4A and B, 3A and B, 2A and B and 1A and B and basement. Accordingly, easy access to it can be obtained in 3A or 2A.

In any event if Oscar needs access he will call me. Thank you.

James C. Couri

JCC:wc
4:1/itko

cc: Jeffrey Turkel, Esq.
Via Fax: 212-551-8484

Paul Robbins, Esq.
Via Fax: 212-448-0066