



**Publishers**

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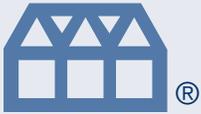
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If there is a subject that you would like to see discussed or an article that you would like to contribute to be featured in The Gotham City Inspector, please forward it to Lawrence Ubell at the above address. All articles submitted will get appropriate recognition.

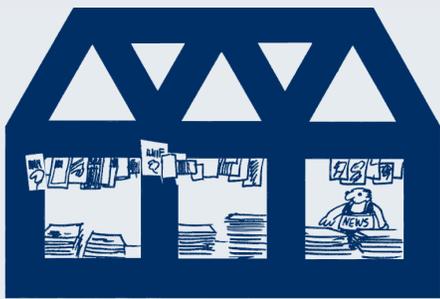


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*Read All About It!*

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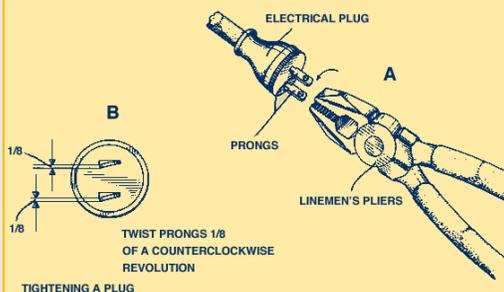
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### DID YOU KNOW?

- that for every degree you lower your thermostat, you will save 2% to 3% of your heating bill?
- the installation of a single or a double set back thermostat could save you as much as 20%?
- if you put on a single thin sweater, you will feel warmer. Put on two thin sweaters, you will feel 3 degrees warmer and you will save 5% to 6% of your heating bill. You'll not only be warmer, you'll be happier.
- that a pliers can save your marriage. You're watching your favorite TV program with your spouse, and just when the detective says, "the murderer is..." FIZZ! The television goes black. It's that electrical plug again! On the floor, instead of in the outlet. Before your spouse starts throwing dishes, try this:

1. With pliers, grasp tip end of one of the plug prongs (A)
2. Twist prong one-eighth of a counterclockwise revolution (B)
3. Repeat with second prong.
4. Replace plug in outlet receptacle and it will hold firmly.



### IN THE NEWS:

#### “BEWARE THE ‘SILENT KILLER’”

Early this winter, the New York Times reported that within one week, there were four separate incidents in the metropolitan area resulting in death or injury from carbon monoxide poisoning. In a Brooklyn apartment building, six people—three of them children—narrowly escaped death when paramedics determined that there was carbon monoxide in the building.

On Long Island and East Lyme, Connecticut, the fumes from gas-burning furnaces filled two houses, and in the Bronx, two people died because of a suspected leak in a gas boiler ventilation pipe.

Carbon monoxide (CO) is a silent killer. Because you can't hear, taste, see or smell it, it sneaks up on its victims without warning. Malfunctioning appliances like furnaces, stoves, ovens and water heaters that burn fossil fuels like natural gas or propane cause incomplete combustion. The resulting byproduct is carbon monoxide. Blocked chimney flues or gas or charcoal grills used inside a home can also emit CO.

The Mayor's Office has issued a list of precautions you can take to ensure you are heating your home safely:

- Make sure all fuel-burning facilities - such as furnaces, boilers, hot water heaters, and clothes dryers - are operating properly, ventilated and regularly inspected by a professional.
- If you have a working fireplace, keep chimneys clean and clear of debris.
- Never turn on your oven to heat your kitchen, or operate gas or charcoal barbecue grills, kerosene- or oil-burning heaters in an enclosed space.
- Common signs of carbon monoxide poisoning are headache dizziness, chest pain, nausea—be alert to these symptoms.
- Make sure you have a working carbon monoxide detector.

All homes should have at least one carbon monoxide detector, but preferably one on each level. If you suspect carbon monoxide poisoning, call 911, and get the victim to fresh air immediately, and open windows.

ALVIN & LARRY UBELL - The Gurus of How-To can be heard on **The Leonard Lopate Show**. Tune to WNYC-Radio the second Wednesday of every month@12:00noon. Radio AM 820 - 93.9 FM - <http://www.WNYC.org>.

## TO OUR READERS

Sure, there were those occasional balmy days...but in general, this winter has been one of the coldest in recent history. With that in mind, our "In the News" department focuses on an topic pertinent to the season – heating and heating safety.

From heat to light...without the heat, in a new department called "The Cutting Edge," we'll take a look at L.E.D.'s—no, not the metal, but an alternative lighting source that may be the wave of the future. Quite illuminating!

For those of us still getting our light the old fashioned way, there's a recipe for home repair on fixing a loose electrical plug. Also, in the "Did You Know?" department, some advice to save energy and heat for the rest of this winter.

In this edition, we welcome contributing editor, attorney Robert Wolff of the law firm Rosenberg, Minc, Falkoff & Wolff, LLP., who discusses how to choose an expert.

And finally, in "Inspector's Diary, Al, Larry and Matthew explain why getting your priorities straight when buying a property can not only save you money, but it can save your life.

We at The Gotham City Inspector appreciate your feedback. Keep the comments and contributions coming!

Sincerely,  
Emily Hoffman,  
Editor

## THE CUTTING EDGE: "IS THE L.E.D. THE LIGHT WAVE OF THE FUTURE?"

You've seen them before...they form the numbers on digital clocks, tell you when your appliances are turned on and are responsible for the vast video images and animated signs in Times Square. All of these lights come from L.E.D.s or "light emitting diodes." But there may be a time in the not-too-distant future when they will be responsible for much more than that.



Our old friend, the incandescent bulb, is a technology that has not substantially changed since Thomas Edison developed it 125 years ago. L.E.D.s, which are simply tiny light bulbs that fit into an electrical circuit are unlike ordinary incandescent bulbs because they don't have a filament that will burn out, and they don't get especially hot. They are illuminated solely by the movement of electrons in a semiconductor material, and they last just as long as a standard transistor.

The plus side of L.E.D. lighting? Energy savings and efficiency! Over 90% of the electricity that goes into an incandescent bulb is converted to heat, not light. With about 20% of all electricity in the United States used for lighting, that's a lot of wasted energy. A change from bulbs to L.E.D.s could cut that number in half, and reduce the chances of another blackout.

Now the bad news...for the moment. Installing L.E.D. lighting on a large scale is expensive. To properly light a home, you'd have to have hundreds, if not thousands of L.E.D.s because, unlike incandescent or fluorescent bulbs, they don't diffuse their glow.

But that's not discouraging the major lighting companies. G.E. and Philips are now exploring the new technology of L.E.D.s. It could be the light of our life and our future.

## INSPECTOR'S DIARY: "WHEN BUYING A PROPERTY...GET YOUR PRIORITIES STRAIGHT!"

What's worse? A leaky roof or a stairway that has insufficient headroom? The leaky roof and resulting ceiling stain is certainly uglier, and a more obvious defect to the consumer, but Al, Larry and Matthew all agree, it's the stairway that's the bigger problem.

On a recent co-op inspection, they issued a report indicating that the apartment was in fairly poor condition because of several problems, including an improperly designed stairway and a defective gas stack. But it was the leaky roof that turned the buyers off—not the



fact that the low headroom over the stairs could cause a concussion or that the gas stack could cause asphyxiation and kill them!

The fact is that close to 90% of all homeowner and apartment owner insurance claims are for leaks. The number of buildings that fall down or fail because of water leaks are few and far between—virtually none. But the amount that burn down because of bad electric or heating, or cause severe injury or even death because of poorly

installed stairs, is significant. For a building inspector, the most important criteria are safety, comfort and aesthetics—IN THAT ORDER. For most consumers, it's the other way around. Al, Larry and Matthew's advice: get your priorities straight!

## “THE USE OF EXPERTS” BY ROBERT WOLFF, ESQ. OF THE LAW FIRM ROSENBERG, MINC, FALKOFF & WOLFF, LLP.

There are three major questions an attorney must ask before retaining an expert:

### 1. Is the Use of an Expert Required?

Whenever you have a legal matter where the jury's findings depend upon facts or conclusions that are not common knowledge, expert testimony is necessary. Obviously, certain types of cases require the testimony of an expert witness in order to determine a case. An example of this is a medical malpractice or any professional malpractice ie: architect, attorney, accountant.

By Statute, expert testimony is necessary to establish a case of action for lack of informed consent.

An expert is also required to prove the plaintiff's injuries ie: causation, summary and the reasonable value of the medical services rendered.

Premise liability also may require the use of an expert. In a case involving inadequate security, expert testimony may be necessary to establish deficiencies in building security and reasonable additional safety measures. For example, expert testimony is required to establish that a stairway is architecturally unsound and dangerous. Or, expert testimony may also be necessary to prove that a defective condition was caused or created by the defendant (which obviates the necessity for notice). To secure the full value of the economic loss sustained, an economics expert may also be necessary.

The guiding principle as to whether an expert opinion is admissible is whether it would help to clarify an issue requiring professional or technical knowledge, possessed by the expert and beyond the scope of the typical juror.

### 2. Who Can Be Your Expert?

A person may qualify as an expert by virtue of their studying alone, observation and/or expressive without

formal study. A physician may testify in a field outside their own specialty.

However, in choosing an expert, it would be wise to choose one in his/her own specialty and one who has experience in the specific procedure and/or operation. Often the trier of fact will give more weight to an expert who has experience or knowledge of the treatment and/or procedure alleged to have been deviated.

### 3. Which Expert Do You Select?

Many attorneys prefer to use paid experts with courtroom experience, However, it is often more beneficial to use neutral municipal experts. For example, in a motor vehicle case, if the Accident Investigation Squad (AIS) from the New York City Police Department responded to an accident, you may have an expert who is neutral and independent who is in the best position to evaluate all of the evidence.

Additionally, a Fire Marshall who came upon the scene of a fire can testify as to the cause and/or origin of the fire pursuant to a subpoena and a Department of Building Inspector can testify as to an elevator accident and about the prior violations of the elevator.

Your best expert at times is the defendant. This witness can establish what the industry practices and standards are and whether the defendant departed from these standards.

In choosing an expert, we should make sure that he is not condescending to the jury in his testimony. Proper use of an appropriate expert witness can make the difference between winning, losing or obtaining a large verdict for your client.

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## GIVE BLOOD: THE LIFE YOU SAVE MAY BE YOUR OWN!

Do it because it's a good deed, do it because they validate your parking, or do it for the free orange juice and cookies! Whatever the reason, this is the time to donate blood. Following a period of significantly reduced blood donations, New York Blood Center's supply of blood has reached a historical and critical low level, forcing the New York Blood Center to issue an urgent appeal for donations effective immediately.

Right now, the city's supply is the lowest since 2000 and has forced the blood bank to dip into its frozen emergency supply.

Donations are critically needed to forestall cancelled surgeries, ER closures or worse. Donors must be at least age 17, weigh a minimum of 110 pounds and be in good general health.

If that's you, it's time to call New York Blood Center at 1-800-933-BLOOD or go to <http://www.nybloodcenter.org/> for a convenient appointment at a permanent or mobile location in New York City, Long Island, New Jersey or the Hudson Valley.

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