

DISTRICT ATTORNEY - NEW YORK COUNTY

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News Release

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Manhattan District Attorney Robert M. Morgenthau announced today the indictment of the owners of a Lower East Side building on charges stemming from the building's partial collapse last summer. A third man, an employee of the company hired to carry out the City-ordered demolition of the property, also has been charged with stealing artifacts from the building shortly before the demolition occurred.

The building's owners, WALTER and EVAN BLUM, who are father and son, have been charged with reckless endangerment and filing false documents in connection with renovation work that was undertaken on their building, located at 14 Second Avenue (at Houston Street). EVAN BLUM was the owner of Irreplaceable Artifacts, an architectural salvage shop, located in the four-story building. His father, WALTER BLUM, is an architect. The defendants will be arraigned later today in New York State Supreme Court, Part 70.

On July 13, 2000, at approximately 1:20pm, the southeastern wall of the building collapsed, injuring one day laborer who was in the building at that time. Although there were other workers and people in the building at the time of the collapse, many others were out of the building for lunch, limiting the number of injuries. The second and third floors of the building, which were filled with heavy architectural artifacts such as Victorian bathtubs, Tiffany windows and doors, masonry and cast-iron decorative pieces, as well as tons of masonry and brick from the building's southeast wall, collapsed onto the first floor.

As a result of the damage caused by the collapse, the structural integrity of adjacent buildings was in danger, and residents of those buildings were evacuated until the safety of those buildings could be assured. Within hours of the collapse, City building officials determined that the BLUMS' building was in danger of imminent or further collapse and ordered that the building be demolished immediately.

The investigation leading to today's indictment revealed that the defendants planned to build a restaurant on the building's first floor. In order to create a better view from the restaurant, they planned to remove brickwork from pre-existing archways, and make other structural changes to the building. However, even before they started the work, there were visible signs that the building was in distress: the building's southeastern wall had a major structural crack that needed to be fixed and the southern basement wall showed signs of buckling.

The defendants began substantive renovation work in April, 2000 without the permits required by the City's Department of Buildings ("DOB"). When neighbors complained about the work, a DOB inspector responded to the scene, discovered the illegal work being performed, and immediately issued a stop work order. The defendants, however, in violation of the stop work order, continued the structural renovation work and, just prior to the collapse, day laborers were removing and replacing bricks throughout the distressed southeastern wall.

During the course of this illegal work, the defendants filed false paperwork with the DOB. On June 28, 2000, the defendants filed a Plan/Work Approval Application for their building in which they falsely stated that no structural work would be undertaken during the renovation and falsely described the scope of their planned work. The work, in fact, had already begun in violation of the existing stop work order and clearly was structural in nature. The second false filing, also on June

28, 2000, was the architectural floor plan for the renovation which misrepresented the scope of the work and did not show the structural nature of the renovation work. WALTER BLUM signed off on the false and misleading papers as a licensed architect, under a DOB self-certification program for professional architects and engineers.

The defendants have been charged with recklessly engaging in conduct which could have caused serious physical injury or death to others by disregarding the serious and obvious structural problems existing in their building, for failing to stop work when ordered to do so, for failing to take precaution to ensure the building's stability and structural integrity, and for using uninsured laborers to perform substantial structural work.

After the building's collapse, the Department of Buildings moved forward with its plan to demolish the building and put the job out to bid. The contract was awarded to Gateway Demolition. Because of the danger of further collapse, only authorized emergency personnel were permitted on the work site so the BLUMs were unable to remove any of the store's valuable architectural pieces. One of Gateway's employees, KRZYSZTOF NOGA, is charged with stealing a number of pieces, valued at more than \$3000 before the demolition took place, including stone artifacts, a zinc frieze, an Art Deco balustrade and a cast iron door transom. In September 2000, almost two months after the collapse, the stolen property was discovered by EVAN BLUM at a Scranton, Pennsylvania storage facility where a rival artifacts company stored its property. After BLUM reported his discovery, an investigation began into the theft. NOGA has been charged in a criminal court complaint with Grand Larceny in the Third Degree.

Assistant District Attorney Jonathan Kraden, who is assigned to the Special Prosecutions Bureau, conducted the grand jury presentation, under the supervision of Bureau Chief Leroy Frazer and Deputy Bureau Chief Thomas Wornom.

Reckless Endangerment in the First Degree and Grand Larceny in the Third Degree are class D felonies which are punishable by up to seven years in prison. Offering a False Instrument for Filing is a class E felony which is punishable by up to four years in prison. Reckless Endangerment in the Second Degree is a class A misdemeanor which is punishable by up to one year in prison.

Defendant Information:

Evan Blum, 4/25/1954
21 Brook Lane
Great Neck, NY 11023

Walter Blum, 6/18/25
21 Brook Lane
Great Neck, NY 11023

Krzysztof Noga, 7/3/1954
20 Spruce St.
Kearney, NJ

Fined in collapse, but no jail

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Walter Blum, 76, and his son, Evan Blum, 47, were fined \$1,000 each and Evan was sentenced to 250 hours of community service on Jan. 8 for reckless endangerment in connection with the July 2000 collapse of their building on Second Ave. and Houston St. The defendants were convicted last September for ordering construction of a basement cafe in the building where heavy stone architectural and garden ornaments were stored on the upper floors for their business, Irreplaceable Artifacts. Judge Gregory Carro said last week that he would not impose possible one-year jail terms because the Blums had no previous criminal records. An adjacent apartment building, known as The Cube Building, was damaged in the collapse and was evacuated for a period, but no one was injured in the incident.