CITY OF ITHACA
108 East Green Street **Ithaca, New York 14850-5590**

BUILDING DIVISION
DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT

4th Floor City Hall
Telephone: 607-274-6508

Email: ibd@cityofithaca.org

November 19, 2026

ATTN: Asteri Ithaca LLC
305 West Commercial St.
Springfield, MO 65803
Delivered via Registered Mail and via email to rick@vecinogroup.com

RE: UNSAFE BUILDING – ORDER TO VACATE
118 E. Green St., Ithaca, New York 14850

Dear Asteri Ithaca LLC:

This letter advises you that, because of the following conditions or events observed at 118 E. Green St., Ithaca, NY, I have determined the sixth floor of this building is unsafe or is not provided with sufficient means of egress or exits to be vacated forthwith. I will be posting a notice to this effect, based on the following violations.

Following the discharge of the sprinkler system due to a fire, contamination in that water from sources including but not limited to lithium batteries and debris has seeped through units on the 6th floor in water, causing imminent danger to human life, safety, or health. Therefore the sixth floor apartment units are unfit for human occupancy: Contaminated water intrusion into each unit.	City Code Chapter 146-9(D) 2025 PMCNYS Section 109.1.3 (as adopted by 19 NYCRR Part 1226)

The posted notice will be worded: "**This building is unsafe – 6TH FLOOR ONLY – and its use and occupancy has been prohibited by the Building Division of the City of Ithaca, New York. It shall be unlawful for any person to remove, deface, or destroy this notice without permission from the Building Division.**"

Chapter 146-9 of the Code of the City of Ithaca states in part that "all buildings or structures or portions of buildings or portions of structures which are structurally unsafe, unsanitary or which constitute a fire hazard or are otherwise dangerous to human life or which, in relation to existing uses, constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are severally, for the purpose of this article, unsafe buildings. All such unsafe buildings are hereby declared to be illegal and shall be abated by repair or demolition in accordance with the procedure of this Article." Section 146-9(P) further states "After a building has been declared unsafe by the Director of Planning and Development, renting to any tenant is prohibited."

AS THE DESIGNEE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF ITHACA, I AM HEREBY DECLARING THAT THE BUILDING AT 118 E. GREEN ST., ITHACA, NEW YORK IS UNSAFE. I AM PROHIBITING USE AND OCCUPANCY OF THIS BUILDING UNTIL SUCH TIME IT HAS BEEN BROUGHT INTO COMPLIANCE WITH THE CITY'S CODES AND ORDINANCES THROUGH REPAIR OR DEMOLITION, AND I AM HEREBY ORDERING:

1. **That IMMEDIATELY all occupants and/or tenants be vacated from the premises.**
2. **That within twenty-four (24) hours all windows, doors and other openings which are readily accessible be boarded up and/or secured to prevent unauthorized access to these portions of the building.**

3. **That within twenty-four (24) hours all exterior portions of the building which are loose or in danger of collapse, including those portions which are susceptible to wind damage, be removed or secured.**
4. **That the person or entity who is the building owner and served with this Compliance Order must immediately commence corrective actions and completely remedy each violation described in this Order by December 21, 2026.**
5. **The Owner shall be responsible for obtaining the required permits for the work proposed. If you choose to repair and/or make improvements to the building, drawings and specifications bearing the seal and signature of a New York State licensed and registered architect or professional engineer must be submitted with the building permit application for approval by the Building Division.**

The factual basis for this determination is as follows. On the morning of November 19, 2026, a lithium-ion e-bike battery exploded in Apartment 609, resulting in activation of the sprinkler system within the unit due to fire. Following the incident, water accumulated within Apartment 609 and came into contact with multiple lithium battery components, debris, waste materials, and other contaminants present in the apartment. The resulting contaminated water migrated from Apartment 609 into the sixth-floor corridor and into the majority of the residential units on the sixth floor.

City officials, including the Fire Marshal, conducted a site inspection on November 19, 2026. The inspection revealed that contaminated water had spread throughout the sixth floor and that numerous units had been affected. In addition, the source apartment contained lithium battery remnants, drug paraphernalia, animal and/or human feces, and other debris that had been exposed to and carried by the water released during the sprinkler activation. Based on the extent of contamination and the migration of contaminated water into the residential units and common areas on the sixth floor, it was determined that all sixth-floor units were unsafe for occupancy pending remediation. Accordingly, all occupants of the sixth-floor residential units were directed to vacate those units until the affected areas could be properly cleaned, evaluated, and restored to a safe condition.

Your right to appeal against this order is detailed in the Code of the City of Ithaca, Section 146-10. In accordance with applicable due process rights, the City of Ithaca similarly extends this right of appeal to your tenants. This order may be appealed to the Building Code Board of Appeals of the City of Ithaca. Your intent, or that of one or more of your tenants, to appeal must be received within five (5) business days of the date of this order. Upon receipt of your/their request, a Building Code Board of Appeals meeting will be scheduled, and you and any appealing tenant will be notified of the meeting's date. Should multiple parties (whether you or your tenants) appeal in a timely manner, the Building Code Board of Appeals will hold a single meeting to hear such appeals, at which each part or their counsel will be provided with an opportunity to be heard.

If you have any questions regarding this order or the appeal procedure, please contact me at (607) 274-6402.

Sincerely,

Robert M. Fell-DeWalt

Robert M. Fell-DeWalt
Director of Code Enforcement

Cc: Tenants affected by the Order to Vacate – HAND-DELIVERED (via posting on applicable door or personally provided)
Fire Chief Moody
Deputy Fire Chief and Fire Marshall Robert Shepherd
Lisa Nicholas, Director of Planning and Development
City Attorney Kessler

It shall be UNLAWFUL for any person to REMOVE, DEFACE, or DESTROY this notice without permission from the BUILDING DIVISION.