

**DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

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***Report Highlights DOB Enforcement Outcomes from March 2019 to Deter Bad Actors and Keep New Yorkers Safe***

**New York, NY** – Today, the New York City Department of Buildings released its March 2019 enforcement bulletin, which provides highlights of the agency’s actions to sanction and deter bad actors in the construction industry through the enforcement of safety laws and codes of conduct for construction professionals. Today’s bulletin includes summaries of DOB-imposed disciplinary actions, including penalties and license suspensions and revocations.

The actions below represent a portion of DOB’s overall work to enforce the City’s building codes and safety laws, in addition to the thousands of inspections conducted and violations issued by the agency each month for illegal building and construction conditions.

DOB took a number of major enforcement actions in March, including:

- 18 violations and \$228,000 in penalties, including daily penalties, issued for illegal building alterations on four separate occasions.
- 55 violations and \$249,375 in penalties, including daily penalties, issued for illegal transient use of buildings at seven different locations.
- 52 violations and \$670,000 in penalties issued for failure to safeguard construction sites on 44 separate occasions.
- 18 violations and \$180,000 in penalties issued to 18 different individuals for failure to carry out duties as construction superintendents.

Below are individual enforcement highlights for March 2019:

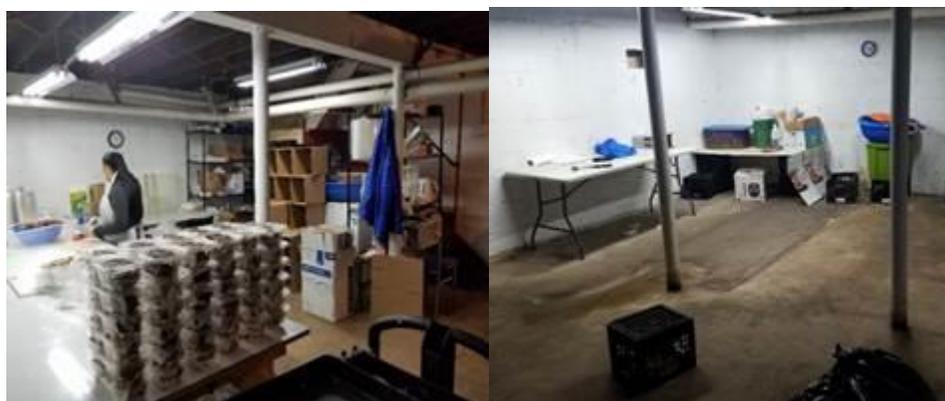
- \$100,000 in total penalties issued to Western Specialty Contractors for several violations related to inadequate site-safety measures and operation of a hoisting machine without a permit at a construction site located at 149 East 125<sup>th</sup> Street, Manhattan. In this incident, a mini crane being used to install a glass curtain wall without proper tiebacks fell from the four floor and injured a worker.
- \$12,500 in penalties issued to Harlorn LLC, the owner of 849 Soundview Avenue, Bronx for failure to maintain an exterior wall due to the partial collapse of the building’s parapet, which injured a member of the public.

- \$25,000 in penalties issued to Tracking Number Holder Finer Fire Restoration Co., for violations related to an incident in which a boom crane fell at a construction site located at 118-29 201<sup>st</sup> Place, Queens. When the crane fell it damaged a building and knocked out power to 30 homes on the block.
- \$12,850 in total penalties issued to Mana Realty #3 LLC, the owner of 4709 New Utrecht Avenue, Brooklyn, for a number of violations for illegal gas work related to the unpermitted installation and operation of two boilers and a hot water heater in the building. The dangerous violating conditions included work without a permit, failure to test the gas line, gas supplied to a building without inspection, and operation of hot water heaters without permit certification or inspection.
- \$37,500 in total penalties issued to 19-20 Bush Terminal, the owner of 4000 1<sup>st</sup> Avenue, Brooklyn, for several violations related to their failure to maintain the exterior wall of the building, and failure to provide protection for the public after the unsafe condition of the façade was documented.
- \$25,000 in total penalties issued to Tracking Number Holder KTC Design Group Inc., for violations related to work that was not performed according to approved plans, and for construction work performed without a permit at 450 Atlantic Avenue, Brooklyn. The unpermitted work included moving a structural wall and installing beams under an occupied apartment, which caused the floors to sag and walls to crack.
- \$10,000 in penalties issued to Registered General Contractor Metro-Tech Erectors for providing inadequate safety measures while using hoisting equipment at 400 West 61<sup>st</sup> Street, Manhattan. The respondents were found to be operating a Spyder mini crane at the site without approved plans or the required tiebacks.
- \$10,000 in penalties issued to Registered Construction Superintendent Pasquale Catalano for failure to perform the required duties of a construction superintendent after a DOB inspection of 30-41 31st Street, Queens, revealed several site-safety violations, including failure to provide roof protection for an adjoining building, failure to keep adequate safety logs, and failure to designate a competent person to oversee safety compliance at the site.
- \$10,000 in penalties issued to Registered Construction Superintendent Stephano Borsellino for failure to perform the duties of a construction superintendent after a DOB inspection of 3262 Spencer Drive, Bronx, revealed several site-safety violations, including missing guardrails, failure to provide adequate safety logs, concrete work with inadequate washout operations, and failure to designate a competent person to oversee safety compliance at the site.
- \$10,000 in penalties issued to Registered Construction Superintendent Chao Lin for failing to perform the required duties of a construction superintendent after a DOB inspection of 818 55<sup>th</sup> Street, Brooklyn, revealed several site-safety violations, including failure to provide an adequate fall protection system for workers, failure to have the required site safety plan

on site, failure to provide unobstructed means egress at the site, and failure to provide a sidewalk shed at the site for the protection of the public.

- \$10,000 in penalties issued to Tracking Number Holder KPA Studio Inc., for providing inadequate safety measures while operating hoisting equipment at a construction site at 590 East 83<sup>rd</sup> Street, Manhattan. The respondents did not properly secure a load of construction material while using a mini crane at the site, which resulted in the load falling from the 6<sup>th</sup> floor of the building.
- \$12,500 in total penalties issued Max N. Almonar, Jr., the owner of 629 Vanderbilt Avenue, Brooklyn, for allowing more than 74 people in an event space, known as Soda Bar, on two separate occasions without a proper place of assembly certificate of operation.
- \$4,000 in penalties issued to The Corinthian Condominium, the owner of 330 East 38<sup>th</sup> Street, Manhattan, for a zoning violation due to a Privately Owned Public Space (POPS) that was found to be improperly maintained per the discretionary zoning agreement. The public plaza at the location had been found have deficient landscaping, broken bricks, and open electrical wiring.
- \$4,000 in penalties issued to The Dunhill Condominium, the owner of 401 East 84<sup>th</sup> Street, Manhattan, for a zoning violation due to a Privately Owned Public Space (POPS) that was found to be improperly maintained per the discretionary zoning agreement. The public plaza at the location was missing required trees and lampposts.
- \$4,000 in penalties issued to Kreisel Co. Inc., the owner of 111 East 85<sup>th</sup> Street, Manhattan for a zoning violation due to a Privately Owned Public Space (POPS) that was found to be improperly maintained per the discretionary zoning agreement. The public plaza at the location was missing required plantings or signage. In addition, metal spikes had been improperly installed on areas meant for seating.
- \$25,000 in penalties issued to Safety Registrant Sciame Construction LLC for failure to safeguard the construction site at 545 West 30th Street, Manhattan, after an unsecured cable wire rack fell from the site and injured a worker.
- \$25,000 in penalties issued to 148<sup>th</sup> Street Associates, the owner of 3590-3598 Broadway, for a failure to maintain a sidewalk shed erected at the property related to an incident in which a steel I-beam fell from the shed to the street below. The owner was also cited for not having an active permit on file for the shed.
- Following an audit of professionally certified applications submitted by Registered Architect Igor Zaslavskiy, the Department found multiple code non-compliances, including proposing work under an Alteration Type 2 that requires an Alteration Type 1 for a new or amended Certificate of Occupancy, and proposing structural alterations in a non-conforming building. The architect agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges effective March 1, 2019.

- Following an audit of professionally certified applications submitted by Professional Engineer Irving Prus, the Department found multiple code non-compliances; including proposing work under an Alteration Type 2 that requires an Alteration Type 1 for a new or amended Certificate of Occupancy. The architect agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges effective March 5, 2019.
- Following an investigation by the Department, it was found that Professional Engineer and Qualified Exterior Wall Inspector Charles Marino had filed a number of false façade reports at six locations. The engineer agreed to a voluntary three-year surrender of all filing privileges and a permanent surrender of his privilege to file façade reports.
- Licensed Master Plumber Kevin Rugg was disciplined by the Department for performing gas plumbing work without a DOB permit. Mr. Rugg agreed to pay a \$6,000 fine and one year of probation, effective March 8, 2019.
- Registered Construction Superintendent Marie Grasso was disciplined for using pre-signed construction logs at a worksite, and for exhibiting a pattern of failing to maintain proper logs as required by the Building Code. She agreed to pay a \$7,500 fine and two years of probation, effective March 22, 2019.
- Licensed Master Electrician Mong Lee was disciplined for not being properly established. He agreed to pay a \$1,000 fine and one year of probation, effective March 26, 2019.
- The owner of 35-55 165<sup>th</sup> Street in Queens was cited for illegal use of the residential building for commercial food preparation and commercial vehicle storage. Prior to a hearing scheduled with OATH, the owner submitted evidence that the illegal use had been discontinued due to Department actions. The Department will monitor the premises for continued compliance.



For previously issued Enforcement Action Bulletins, please visit our [website](#).