

**DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

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

**New York, NY** – Today, the New York City Department of Buildings released its April 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 April, including:

- 36 violations and \$663,900 in penalties, including daily penalties, issued for illegal building alterations on 10 separate occasions.
- 25 violations and \$175,575 in penalties, including daily penalties, issued for illegal transient use of buildings at six different locations.
- 41 violations and \$485,000 in penalties issued for failure to safeguard construction sites on 38 separate occasions.
- 24 violations and \$255,030 in penalties issued to 20 different individuals for failure to carry out duties as construction superintendents.

Below are individual enforcement highlights for April 2019:

- \$230,000 in total penalties issued to Jun Xiao Guo, the owner of 66-17 Austin Street, Queens, for a number of violations related to the illegal conversion of a legal three-family dwelling into 18 illegal Single Room Occupancy (SRO) dwellings throughout the building, including in the cellar. The owner was issued a total of 32 summonses for a variety of violating conditions including work without a permit, insufficient egress, and occupancy contrary to the Certificate of Occupancy (CO).
- \$97,000 in total penalties issued to Salazar Yanet, the owner of 47-31 99<sup>th</sup> Street, Queens, for a number of violations related to the illegal alteration of the property to add three illegal units located in the cellar, second floor, and attic. The violations included work without a permit and violation of a Stop Work Order.

- \$60,000 in total penalties issued to West 180 St. Heights, the owner of 716 West 180<sup>th</sup> Street, Manhattan, for the illegal alteration of the property to add four SRO dwellings.
- \$31,625 in total penalties issued to JNPJ Tenth Av LLC, the owner of 814 10<sup>th</sup> Avenue, Manhattan, for illegal transient use of the building and associated safety violations. The respondent was found to have been renting rooms to visitors from Canada, for \$600 a night.
- \$25,000 in penalties issued to The George Units LLC, the owner of 111 Wadsworth Avenue, Manhattan, for failure to properly safeguard a public right of way after filing a Local Law 11 Façade Inspection Safety (FISP) Report that determined the exterior walls of the 32-story building were unsafe.
- \$10,000 in penalties issued to Edison Management, the owner of 228 West 47<sup>th</sup> Street, Manhattan, for failure to put required safety measures in place after filing a Local Law 11 FISP Report that determined the exterior walls of the building were unsafe.
- \$25,000 in penalties issued to Safety Registrant T.G. Nickel & Assoc. for failure to safeguard a construction site located at 1 Clinton Street, Brooklyn, after a worker was injured in a fall from the 16<sup>th</sup> floor of the construction site, onto uncapped rebar on the 15<sup>th</sup> floor.
- \$25,000 in penalties issued to Safety Registrant ZZZ Carpentry Inc. for failure to safeguard a construction site at 150 East 38<sup>th</sup> Street, Manhattan, due to lack of temporary shoring when demolishing a wall that caused the ceiling to collapse on workers and resulted in debris spilling onto the sidewalk.
- \$25,000 in penalties issued to Tracking Number Holder Bagiana Construction Inc. for failure to safeguard a construction site at 3505 Broadway, Manhattan, due to demolition work in an apartment which caused a ceiling collapse in the occupied apartment below.
- \$30,000 in total penalties issued to Registered General Contractor Green Castle A Mgmt Corp., for several violations due to improper use of a boom truck as a construction crane to erect steel beams on a construction site located at 840 Morris Park Avenue, Bronx. The contractor was cited for not having a certificate of onsite inspection or certificate of approval for the crane work, and for overloading the boom truck's capacity.
- \$12,500 in penalties issued to Kovinni LLC, the owner of 413 Westervelt Avenue, Staten Island, for work without a permit due to an unpermitted gut renovation of the property that included replacement of structural beams and removal of fire stopping material throughout the building.
- \$4,000 in penalties issued to P&S 95 Street Association, the owner of 182 East 95<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 violating

conditions included the installation of 670 feet of spikes on planters, which prevented seating, lack of required artwork, and a fountain that was not working.

- \$5,000 in penalties issued to Manhattan Place Condominium, the owner of 630 1<sup>st</sup> Avenue, Manhattan, for a zoning violation due to a POPS that was found to be improperly maintained per the discretionary zoning agreement. The violating conditions included broken bike racks, and lack of required trees and fountains.
- \$5,000 in penalties issued to 458 East 51 Partners LLC, the owner of 485 East 51<sup>st</sup> Street, Brooklyn, for violating an active Stop Work Order previously issued by the Department.
- \$5,000 in penalties issued to Registered General Contractor Queens Pioneer Construction, for failure to file records of disability insurance while working at 41-12 69<sup>th</sup> Street, Queens.
- \$1,250 in penalties issued to Tracking Number Holder Glen Kapoosuzian for failure to post the Safe Construction Bill of Rights at an occupied building where active construction is ongoing, at a property located at 1588 York Avenue, Manhattan.
- Following an audit of professionally certified applications submitted by Professional Engineer Emanuel Katerinis, the Department found multiple false statements on eleven false filings for eight locations in which the engineer improperly proposed major changes to egress or the creation of habitable spaces in cellars under Alteration Type 2, Directive 14 applications. Following a trial at OATH, the Administrative Law Judge recommended a full ban on the engineer's ability to submit filings to the Department. A Commissioner's Order revoking all of the engineer's DOB filing privileges was issued April 16, 2019.
- Following an audit of professionally certified applications submitted by Professional Engineer Ko Shek Wong, 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, proposing a physical culture establishment without BSA approval, and proposing inadequate egress. The engineer agreed to a surrender of his Professional Certification and Directive 14 privileges, effective April 1, 2019.
- Following an audit of professionally certified applications submitted by Professional Engineer Bakhtiar Shamloo, 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, zoning bulk non-compliances, and inadequate egress issues. The engineer agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective April 1, 2019.
- Following an audit of professionally certified application submitted by Registered Architect Salvatore Prainito, 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, increasing the degree of non-conformance of an existing

use, and inadequate egress issues. The architect agreed to a voluntary surrender of Professional Certification and Directive 14 privileges, effective April 30, 2019.

- The Department revoked the Master Rigger license of Brad Allecia after an OATH Report and Recommendation finding that he endangered public safety and demonstrated negligence, incompetence, lack of knowledge, and disregard for the Administrative Code due to multiple non-compliances with the Administrative Code and related rules, including not being present during the hoisting of a critical pick and failing to have a rigging plan. The master rigger's license was revoked pursuant to an order by the Acting Commissioner effective April 19, 2019.
- Special Inspection Agency Abdus Salam C. Engineers was disciplined by the Department for failing to ensure that the employees conducting special inspections were qualified to perform such inspections, failing to ensure that the special inspections performed were required by the scope of work, failure to sign and seal special inspection reports, and improperly performing special inspections. The agency agreed to install a new Director, and to be put on probation for 18 months, effective April 4, 2019.
- Master Electrician Valma Boyce was disciplined by the Department for not being properly established. The electrician agreed to pay a \$1,000 fine and to be put on probation for one year, effective April 11, 2019.
- Master Electrician Abe Himelfarb was disciplined by the Department for failing to have the workers who were performing electrical work on the payroll of his company, and for failing to provide requested documentation to the Department as part of its investigation. The electrician agreed to pay a \$15,000 fine and to be put on probation for three years, effective April 24, 2019.
- The owner of 107-41 Pinegrove Street in Queens was cited for illegal use of the premises for auto repairs and junk 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.



- The owner of 1813 Bleecker Street in Queens was cited for illegal use of the premises for auto repairs, dead vehicle storage, and junk 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](#).