

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from April 2021 to Deter Bad Actors and Keep New Yorkers Safe

New York, NY – Today, the New York City Department of Buildings released its April 2021 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:

- 38 violations and \$470,000 in penalties issued for failure to safeguard construction sites on 34 separate occasions.
- 18 violations and \$212,800 in penalties, including daily penalties, issued for illegal building alterations at four locations.
- 12 violations and \$120,000 in penalties issued to 12 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for April 2021:

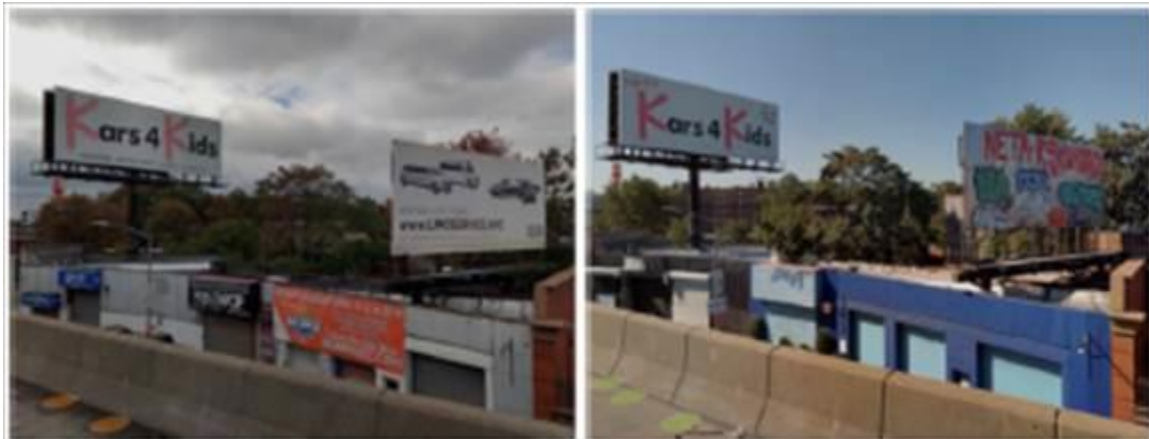
Brooklyn

- \$59,900 in total penalties, issued to Safety Registrant Gotham New York LLC, for failure to institute safety measures during the erection of a scaffold at 710 Metropolitan Avenue, Brooklyn, where a construction worker suffered a fatal fall. Additional violations were issued for failure to have site safety training, the lack of guard rails, vertical safety netting not maintained, having a scaffold truck at the sidewalk with no barriers, and for having a sidewalk shed that failed to provide the minimum five feet for a pedestrian path.
- \$21,240 in total penalties issued to Reale Estate LLC, owners of 540 65th Street, Brooklyn, for failure to maintain the building’s façade and for failing to provide a sidewalk shed where required.

- \$20,000 in total penalties issued to General Contractor Ameristar Construction LL. Inc. for failing to secure reshoring work, failure to maintain an embedded straps logbook, failure to implement cold weather requirements for concrete placement, and inadequate concrete curing boxes at two adjacent job sites located at 51 and 55 Sheffield Avenue, Brooklyn.
- \$12,400 in total penalties issued to Tracking Number Holder Cityline Restoration Inc. for failure to provide overhead protection for an adjacent building and inadequate pedestrian protection at 420 Ovington Avenue, Brooklyn.
- \$12,500 in total penalties issued to Safety Registrant UGB Construction Inc. after DOB inspectors visited 729 Liberty Avenue, Brooklyn, where excavation was taking place for a 4-story building, and observed a truck on the sidewalk blocking pedestrian passage, and that no pre-shift meeting had taken place to go over operations and safety procedures.
- \$12,500 in total penalties issued to Safety Registrant RFA Frontino LLC for multiple violations at 168 Plymouth Street, Brooklyn, including inadequate safety netting, no elevator in readiness, no standpipe in readiness, a supported scaffold erected not in accordance with submitted plans, missing inspection logs and holes in slabs.
- \$6,250 in penalties issued to 1740-1746 Nostrand Ave. Corp. for failure to maintain and register a boiler at 2915 Clarendon Road, Brooklyn.
- \$5,000 in penalties issued to General Contractor Developing NY State Inc., after a DOB inspection of a construction site at 1538 New York Avenue, Brooklyn found an articulating boom truck in operation without a certificate of operation, that was being used to assist steel construction operation at 3rd floor level of the work site.
- \$50,000 in penalties issued to WK Management Group LLC, for displaying an advertising sign at 5718 3rd Avenue, Brooklyn, without a permit and the required UL decal, within proximity and view of an arterial highway. Additional violations were issued for failing to register an arterial sign and not having a licensed sign hanger erect the sign.



- \$50,000 in penalties issued to 286 Hamilton Ave Holding LLC for displaying outdoor signs at 286 Hamilton Avenue, Brooklyn, contrary to building code and zoning regulations. The signs were removed, and the premises will be monitored for continued compliance.



Manhattan

- \$29,000 in total penalties issued to Safety Registrant Hudson Yards Const II LLC after a DOB investigation found that a forklift was used to move a curtain wall during installation, resulting in a worker's fingers getting crushed at a construction site at 413 10th Avenue, Manhattan. Additional violations were issued for failure to institute safeguards, not following manufacturer's specifications on how to use the machine, and for not having a means and methods plan on site for the installation work.
- \$12,500 in penalties issued to Extell The Square Hotel LLC for failure to maintain a building at 1567 Broadway, Manhattan, where a 140 feet by 60 feet vinyl sign with supporting poles dislodged and fell onto the adjacent property and sidewalk.

- \$11,250 in total penalties issued to Abraham Levy LLC Executive Towers after a DOB inspection of 160 Sherman Avenue, Manhattan found a kitchen with unapproved gas plumbing had been constructed at the property without proper permits. Violations were issued for work without a permit, failure to have a gas system tested, and gas being supplied without approval testing or required DOB inspections.
- \$10,000 in penalties issued to Safety Registrant Leeding Builders Group, for inadequate safety operation of a crane at a construction site at 200 East 83rd Street, Manhattan, where the crane's jib fell off during assembly operations.
- \$7,500 in penalties issued to Safety Registrant Turner Construction Comp. for failure to comply with manufacturer's specifications for the use of construction equipment at a work site at 550 Washington Street, Manhattan. Additional violations were issued after DOB inspectors found two workers on an aerial scissor lift who did not have lift training and that a pre-shift meeting at the site had not addressed the scope and dangers of the job.
- \$5,000 in penalties issued to Safety Registrant Wonder Works Constr. Corp. for failure to perform the necessary hydrostatic test on a standpipe system at a work site at 75 1st Avenue, Manhattan.
- \$15,000 in penalties imposed against 142 5th Avenue Corp, owners of 142 5th Avenue, Manhattan, for displaying an advertising sign without a permit and in a prohibited zone, and for failing to register as an Outdoor Advertising Company.



Queens

- \$15,000 in total penalties issued to Tracking Number Holder Hope Home Improvement Inc. after a DOB visit to a work site at 265-04 81st Avenue, Queens, found no competent person on site during construction operations, and no logs or safety meetings recorded.

- The owners of 135-08 142nd Street, Queens were cited for using the premises as an illegal parking lot and junk storage. Following an OATH hearing resulting in a favorable Report & Recommendation, an Order of Closure will be posted at the premises. DOB will continue to monitor the property, and if the illegal use is not discontinued, the property will be padlocked.



- The owners of 107-07 and 107-11 Fern Avenue, Queens were cited for using the premises as an illegal parking lot and junk storage. Following an OATH hearing resulting in a favorable Report & Recommendation, an Order of Closure will be posted at both locations. DOB will continue to monitor both properties, and if the illegal use is not discontinued, they will be padlocked.



Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Registered Architect Victor Han, the Department found multiple false statements, including six false filings at five separate locations. These false filings included re-establishing a non-conforming use that was removed during a previous Padlock action; filing an Alteration Type 2 application despite proposing changes

in use and/or occupancy, which require an Alteration Type 1 application for a new or amended Certificate of Occupancy; and filing an Alteration Type 2 application proposing a change in Use which required approval by the Board of Standards and Appeals. Following a trial at OATH, a Commissioner's Order was issued on April 27, 2021 suspending all of Mr. Han's DOB filing privileges for a period of three years and a permanently excluding him from Professional Certification and Directive 14 programs.

- Following an audit of six professionally certified applications submitted by Professional Engineer Saverio Tarantino, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide adequate fire rated materials; failure to provide adequate means of egress; failure to provide accessibility for persons with disabilities; increasing the degree of Zoning non-compliance; and various other violations of code and rules, including the Zoning Resolution and Multiple Dwelling Law. Based on these audits, DOB offered a voluntary surrender of Professional Certification and Directive 14 privileges to which Mr. Saverio agreed and signed on April 26, 2021.
- Following an audit of seven professionally certified applications submitted by Registered Architect Gabriel Gingishvili, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide adequate fire rated materials; failure to provide adequate means of egress; failure to provide accessibility for persons with disabilities; proposing a Zoning Use not allowed as-of-right in the Zoning district; failure to indicate a property was located in Tidal Wetlands, Coastal Erosion Hazard Area, and Special Flood Hazard Area; and various other violations of code and rules, including the Zoning Resolution and Building Code. Based on the audits, the Department offered a voluntary surrender of Professional Certification and Directive 14 privileges, to which Mr. Gingishvili agreed and signed on April 19, 2021.
- Following an audit of five professionally certified applications submitted by Professional Engineer Aldo Bravo, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide an automatic sprinkler system; failure to provide adequate means of egress; failure to provide accessibility for persons with disabilities; proposing an increase in the degree of Zoning non-compliance; and various other violations of code and rules, including the Zoning Resolution and Multiple Dwelling Law. Mr. Bravo agreed to a voluntary surrender of Professional Certification and Directive 14 privileges, which was signed on April 12, 2021.

- Following an audit of four professionally certified applications submitted by Registered Architect Sugnam Chang, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; proposing an increase in the degree of Zoning non-compliance; failure to provide adequate means of, Confidential and Privileged Information, egress; failure to provide accessibility for persons with disabilities; and various other violations of code and rules, including the Zoning Resolution and Multiple Dwelling Law. Based on the audits, the Department offered a voluntary surrender of Professional Certification and Directive 14 privileges, to which Mr. Chang agreed. The voluntary surrender went into effect on April 9, 2021.
- Following an audit of six professionally certified applications submitted by Professional Engineer Edison Paul, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide an automatic sprinkler system; failure to provide adequate means of egress; and various other violations of code and rules, including the Zoning Resolution and Multiple Dwelling Law. Based on the audit, the Department offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Mr. Paul signed on April 1, 2021.
- Registered Architect Shawn Stiles surrendered Professional Certification and Directive 14 privileges on November 17, 2014 and never requested reinstatement of these privileges. Following an audit, the Department found that Mr. Stiles had submitted five Directive 14 final sign-offs contrary to his 2014 agreement. The Department offered an 18-month voluntary surrender of all filing privileges and a permanent voluntary surrender of Professional Certification and Directive 14 privileges, to which the Mr. Stiles agreed. This voluntary surrender went into effect on April 1, 2021.
- Construction Superintendent Ziad Ekwaneen was disciplined after the Department observed a pattern of failing to properly maintain logbooks and failing to designate a competent person at his worksites, as required by the Building Code. Mr. Ekwaneen agreed to a stipulation involving a two-year period of probation and a fine of \$6,000.00. The stipulation went into effect on April 7, 2021.
- Master Electrician Stuart Moskowitz was disciplined for performing work without a permit at a work site. Mr. Moskowitz agreed to a stipulation involving a six-month probation and to pay a fine of \$3,500. The stipulation became effective on April 15, 2021.

- Master Plumber and Fire Suppression Contractor Mathew Weis was disciplined for allowing workers not on his payroll to perform plumbing work after being issued permits for work at four locations. Mr. Weis was also disciplined for failing to provide payroll records to the Department as part of its investigation . Mr. Weis agreed to a two-year period of probation for both of his licenses, and to pay a fine of \$12,000. This stipulation was fully executed on April 19, 2021.

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

###