

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

New York, NY – Today, the New York City Department of Buildings released its enforcement bulletin for August 2021, 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 August including:

- 40 violations and \$475,000 in penalties issued for failure to safeguard construction sites on 38 separate occasions.
- 48 violations and \$1,093,800 in penalties, including daily penalties, issued for illegal building alterations at nine locations.
- 9 violations and \$104,250 in penalties, including daily penalties, issued for illegal transient use at three locations.
- 17 violations and \$170,000 in penalties issued to 17 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for August 2021:

Brooklyn

- \$11,400 in total penalties issued to 475 Wash Owner LLC, owner of 475 Washington Avenue, Brooklyn, after DOB inspectors found that electrical work at the property had been performed without a permit, HVAC systems were installed without proper grounding at the rear of the property, and improper electrical equipment was found in the public hallways, the laundry room and meter room.
- \$10,000 in penalties issued to Safety Registrant Ninth Ave Construction Corp. for failure to institute safety measures at a construction site located at 29 West

Street, Brooklyn. DOB inspectors were called to the scene after a construction worker on scene lost a finger. It was determined that the worker was using a rotary hammer without a required side handle, and the worker lost control of the equipment resulting in injury.

- \$10,000 in penalties issued to Safety Registrant NT First Decoration Inc. for failure to safeguard a construction site 576 6th Avenue, Brooklyn. DOB inspectors found that construction activity at the location had caused a quarter inch wide crack in the adjacent building, resulting in dust and debris to enter an apartment.
- \$7,500 in total penalties issued to Brian Bramel, P.E., after a peer review of the Professional Engineer's design drawings related to a construction site at 948 Myrtle Avenue, Brooklyn, found design deficiencies. Following the peer review, it was determined that the Professional Engineer's drawings for steel columns, beams, two floor slabs, and lateral design at the site were all deficient.
- \$6,250 in penalties issued to Throop Owner LLC, owner of 619 Throop Avenue, Brooklyn, for failure to maintain the building, after a 20 foot by 15-foot piece of masonry façade fell to the ground.
- The owners of 118 Battery Avenue, Brooklyn, were cited for using the premises illegally as a post office, drug store and a packing and crating establishment. Prior to a hearing scheduled with OATH, the owner and occupant of the premises entered into a stipulation giving them until August 17, 2021, to discontinue the illegal use. A stipulation compliance inspection revealed that the business had relocated and was no longer occupying the subject premises. DOB will continue to monitor the location for compliance.



- The owners of 3115 Brighton 6 Street, Brooklyn, were cited for illegally using the cellar of the premises as a florist shop. Prior to a hearing scheduled with OATH, proof that the illegal use of the cellar has been discontinued was submitted to the Department. DOB will continue to monitor for compliance.



- The owners of 2795 Cropsey Avenue, Brooklyn, were cited for illegally using the premises for a contractor’s yard and buildings material storage. Prior to a hearing scheduled with OATH, the owners entered into a stipulation agreement with the Department for the discontinuation of the illegal use. A compliance inspection revealed that the lot was still being used for commercial and manufacturing purposes, and as a result the Department posted an Order of Closure at the premises. A subsequent compliance inspection revealed that the illegal use was discontinued as required. DOB will continue to monitor for compliance.



- The owners of 2760 Harway Avenue were cited for illegally using the premises as storage for an adjacent hardware store. Prior to a hearing scheduled with OATH, the owners entered into a stipulation agreement with DOB for the discontinuation of the illegal use. A subsequent inspection revealed that the lot was still being used for commercial and manufacturing purposes, and as a result an Order of Closure was posted at the premises. However, a recent inspection

revealed that the illegal use was discontinued as required. DOB will continue to monitor for compliance.



Bronx

- \$70,125 in total penalties issued to Gold University Ave. Corp. for the illegal alteration of 1360 University Avenue, Bronx. DOB inspectors found that multiple Single Room Occupancy (SRO) units had been created in apartment 22 of the building for the purposes of renting them out on Airbnb. The SROs were illegally created without a permit, did not contain a sprinkler system or fire alarms, and had inadequate egress.
- \$30,000 in total penalties issued to 58-66 East Fordham Road LLC and Lamar Advertising of Penn LLC for illegally displaying an advertising sign at 58 East Fordham Road, Bronx without a permit and without the required sign decal.



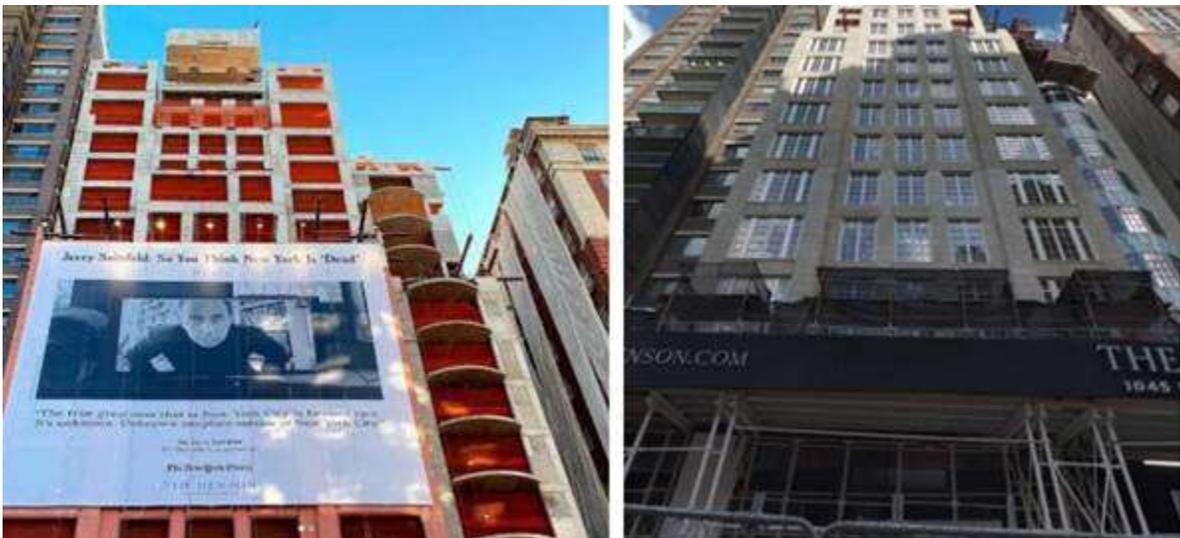
- \$25,000 in penalties issued to Bronx Park Housing, the owner of 2344 Boston Post Road, Bronx, for failure to provide pedestrian protection measures around the building's unsafe façade. The building's balconies were found to be defective, unsecured, and had defective concrete slabs, and a DOB inspection found that

the property owners had not taken any measures to protect the public from this hazards condition.

- \$12,500 in total penalties issued to Safety Registrant All Star 1 LLC for failure to produce the required orientation logs and pre-shift logs with mention of safety proceedings during a DOB inspection of an active demolition site located at 234 East 203rd Street. DOB inspectors found that All Star 1 LLC also failed to maintain proper housekeeping at the demolition site, did not have temporary lighting on site as required, and did not have fire extinguishers.
- \$10,000 in penalties issued to General Contractor Alef Construction Inc. failure to safeguard a construction site at 181 Webster Avenue, Bronx. DOB inspectors found that the construction site door was left opened, making it possible for unauthorized entry.
- \$3,125 in penalties issued to AV. Greystone LLC, owner of 3804 Greystone Avenue, Bronx, for failure to maintain the building. DOB inspectors found that window air conditioning units were installed at the building without the proper support brackets at three sides of the building.

Manhattan

- \$25,000 in total penalties issued to 1039-1045 Madison Ave Owner LLC for displaying an illegal advertisement sign at 1045 Madison Avenue, Manhattan, which is located inside of a commercial zone that prohibits this type of advertising. The sign has since been removed.



- \$15,000 in total penalties issued to General Contractor Sweeney & Conroy, Inc. for failure to provide adequate logs for pre-shift meetings and failure to safeguard the construction site at 50 West 69th Street, Manhattan. These violations were

issued after a worker who was accessing the 4th floor working deck fell 25 feet off an unsecured ladder. It was determined that the worker was not provided with adequate fall protection.

- \$7,300 in total penalties issued to property owner Jing Ya Lin for removing a DOB Vacate Order sticker placed on apartment 701 on the 5th floor of 165 Henry Street. DOB inspectors found that the apartment was occupied by the tenants named on the lease in violation of the active Vacate Order, which had not been lifted.
- \$5,000 in penalties issued to 200-210 E 65th Condo for violating the discretionary zoning requirements of the Privately Owned Public Space at 200 East 65th Street, Manhattan, after DOB inspectors found that the required POPS information plaque was obstructed by plantings.
- \$5,000 in penalties issued to 418 East 59th Owners Corp, owner of 418 East 59th Street, for violating the discretionary zoning requirements of their Privately Owned Public Space. DOB inspectors found that 50% of seating was damaged, the water fountain was not operational, and the space lacked proper signage.

Queens

- \$68,000 in total penalties issued to Jas Want Singh for the illegal alterations of a single-family house located at 137-19 97th Avenue, Queens. DOB inspectors found that the single-family house had been illegally converted into four Single Room Occupancy (SRO) units.
- \$50,000 in total penalties issued to PG Properties of Queens LLC for illegally placing two advertising signs at 29-22 Hoyt Avenue, Queens, a commercial zone that prohibits advertising. The signs have since been removed.



- \$10,000 in penalties issued to Alco Builders, Inc. for failure to designate or have a construction superintendent at a construction site located at 170-39 Henley Road, Queens.
- \$10,000 in penalties issued to Lift Director Rodney Bobwah for failure to perform the required duties of a lift director at construction site 35-01 36th Avenue, Queens. DOB inspectors found that the steel columns at the construction site were lifted outside the crane's load capacity resulting in the crane tipping over onto a sidewalk shed.
- \$10,000 in penalties issued to General Contractor PK Construction NY Inc. for failure to safeguard a construction site located at 69-18 60th Drive, Queens, after a worker was injured in a scaffold collapse. DOB inspectors found that the contractor failed to implement appropriate safety measures at the site, including

unsafe installation of the scaffold, lack of controlled access zones, and no pre-shift meeting.

- \$625 in penalties issued to LT Flushing Realty Holding LLC for installing an outdoor sign at 156-01 45 Avenue, Queens, without a permit. The sign has since been removed.



- The owners of 135-08 142 Street, Queens, were cited for using the premise as an illegal parking lot and junk storage. A hearing was conducted with OATH and the respondent did not appear as required, resulting in a favorable Report & Recommendation. The premises will be padlocked if the use is not discontinued.
- The owners of 135-08 142 Street, Queens, were cited for using the premise as an illegal parking lot and junk storage. A hearing was conducted with OATH and the respondent did not appear as required, resulting in a favorable Report & Recommendation. The premises will be padlocked if the use is not discontinued.



- The owners of 94-16 54 Avenue, Queens, were cited for illegally using the premises for motorcycle repairs, dead and junk storage of motor vehicles. Prior

to a hearing scheduled with OATH, proof of discontinuance was submitted to the Department, so the hearing was withdrawn. DOB will monitor the location for continued compliance.



Staten Island

- \$10,000 in penalties issued to Safety Registrant SNL Construction LLC for failure to institute safety measures at construction site 2604 Richmond Terrace, Staten Island. DOB inspectors found that there was no fall protection for workers utilizing an A-frame ladder within six feet of a leading edge at the 2nd story of the site, above a guardrail system. It was also determined that fall danger and fall protection discussions were not included in the pre-shift safety meeting, as required.
- \$6,250 in penalties issued to Port Richmond Ventures LLC for failure to maintain an exterior wall at a building at 2060 Richmond Terrace, Staten Island, resulting in about five bricks falling onto the sidewalk from the second floor of the building. DOB inspectors also found that the remaining section of the wall was leaning without proper bracing.

Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Registered Architect Brian T. O'Connor, the Department found major non-compliance issues, including 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; increasing the degree of nonconformance by proposing a structural alteration to an existing non-conforming use building; and multiple code deficiencies related to the design and installation of sidewalk sheds. Based on these audits, DOB offered a voluntary surrender of Mr. Pichardo's Professional Certification and Directive 14 privileges to which he signed, and which took effect on August 1, 2021.

- Registered Architect Sohel Ahmed was disciplined by the Department, after it was determined that he had filed multiple technical reports with the Department indicating performance of Directive 14 final inspection sign-offs, despite him previously voluntarily surrendering those Directive 14 privileges back in 2018. Based on these findings, DOB offered a permanent voluntary surrender of Mr. Ahmed's Professional Certification and Directive 14 privileges, and a two-year voluntary surrender of all Department filing privileges to which he signed, and which took effect on August 21, 2021.