

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from September 2020 to Deter Bad Actors and Keep New Yorkers Safe

New York, NY –Today, the New York City Department of Buildings released its September 2020 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 September, including:

- Five violations and \$114,400 in penalties, including daily penalties, issued for illegal building alterations at three separate locations.
- 26 violations and \$290,000 in penalties issued for failure to safeguard construction sites on 25 separate occasions.
- Five violations and \$114,000 in penalties, including daily penalties, issued for illegal transient use at two separate locations.
- Six violations and \$60,000 in penalties issued to six different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for September 2020:

Brooklyn

- \$10,000 in penalties issued to Safety Registrant All Boro Cleaning Service after a 24-foot-high supported scaffold collapsed at a new building construction site at 8039 Preston Court, Brooklyn, damaging nearby delivery trucks and cars. DOB inspectors determined that the scaffold was not properly tied down to the structure.
- \$7,500 in penalties issued to 644 Lorimer Realty, the owners of 644 Lorimer Street, Brooklyn, for illegal work without a permit, after DOB inspectors found that a gut renovation was taking place in the building without required DOB permits, and in defiance of the Governor’s Executive Order halting all non-essential construction due to the ongoing COVID-19 pandemic.

- \$6,250 in penalties issued to “150 Cayler Street”, the owners of 150 Calyer Street, Brooklyn, after bricks fell from the exterior façade of the building onto an adjacent yard.
- \$5,000 in penalties issued to Citihomes Chauncey LLC, the owners of 345 Chauncey Street, Brooklyn, after DOB inspectors observed construction workers performing work on stairs at the building without an essential work approval, in defiance of the Governor’s Executive Order halting all non-essential construction due to the ongoing COVID-19 pandemic.
- \$5,000 in penalties issued to EPKY 7395 LLC, the owners of 95 Eastern Parkway, Brooklyn, after DOB inspectors observed construction workers performing façade repairs without an essential work approval, in defiance of the Governor’s Executive Order halting all non-essential construction due to the ongoing COVID-19 pandemic.
- \$1,250 in penalties issued to “2801 Emmons Ave”, the owners of 2801 Emmons Avenue, Brooklyn, after DOB inspectors discovered that the elevator in the building did not have a door look monitoring system, which is required by Code.
- The owner of 33 Crosby Avenue, Brooklyn was cited for illegally using the premises as a dead vehicle storage, and for storing ice cream trucks. Prior to a hearing scheduled hearing with OATH, the owner agreed to a stipulation to discontinue the illegal use. However subsequent inspection revealed that the illegal use was not actually discontinued. As a result, an Order of Closure was issued for failure to comply with the stipulation, and the premises will be padlocked.



Bronx

- \$31,250 in total penalties issued to “1472 Boston Road”, the owners of 1472 Boston Road, Bronx for failing to maintain the building after a large section of concrete stucco laminate fell from the ceiling of the commercial building at the mezzanine. It was determined by DOB inspectors that repair work was being done on the ceiling using a wood platform, all performed without permits, and without proper protections in place for workers.
- \$5,525 in total penalties issued to Tracking Number Holder S&J Construction Service after multiple construction site safety violations were observed at a façade repair work site at 35 Dash Place, Bronx. At the time of the inspection, DOB inspectors found workers performing façade repairs at the building without properly notifying the Department of their use of a C-Hook suspended scaffold system, and utilizing a sidewalk shed that was missing parapet walls.
- The owners of 65 Montauk Avenue, Bronx, was cited for illegally using the premises for junk and dead vehicle storage. Prior to a hearing scheduled hearing with OATH, the owner agreed to a stipulation to discontinue the illegal use. However subsequent inspection revealed that the illegal use was not actually discontinued. As a result, an Order of Closure was issued for failure to comply with the stipulation and the premises will be padlocked.



Manhattan

- \$54,000 in total penalties issued to Keung Yeung, the owner of a condo unit at 155 Henry Street, Manhattan, after DOB inspectors determined that the single-family apartment had been illegally converted into five Single Room Occupancy (SRO) units, by turning spaces throughout the apartment into separate dwellings.

- \$25,625 in total penalties issued to Tracking Number Holder M.E.H Contractors Inc. after multiple construction site safety violations at a façade and roof repair were observed at a work site at 604 West 162nd Street, Manhattan. At the time of the inspection, DOB inspectors found workers performing exterior demolition work on the occupied six-story building without taking proper safety precautions, including not installing a required sidewalk shed, not taking safety precautions to protect building occupants, failure to hang an asbestos abatement sign, unsafe storage of construction materials, and failure to safeguard the construction site.
- \$25,000 in total penalties issued to Over The Top Lifting for improperly using an articulating boom crane to load debris from a work site at 13 Laight Street, Manhattan, into a dumpster on the street. DOB inspectors determined that this unsafe operation was done without a Certificate of Operation and without DOB approval.
- \$20,000 in total penalties issued to Renee Citera for submitting false Certificates of Correction related to four previously issued summonses at 25 ½ East 61 Street, Manhattan. Violations were previously issued in September 2019 for the illegal transient use of one of the apartments in the building. Mrs. Citera submitted documentation to DOB in order to resolve those violations that stated the illegal transient use had been discontinued, which was later found out to be false.
- \$10,000 in total penalties issued to Safety Registrant RNC Industries LLC for failure to safeguard the new building construction site at 200 Amsterdam Avenue, Manhattan, during concrete operations. DOB inspectors observed that liquid splatter and residue had fallen from the work site onto an adjacent playground, and determined that the site had insufficient protections in place for the ongoing concrete operations.
- \$10,000 in penalties issued to Safety Registrant Tishman Construction Corp. for failure to implement proper safety measures at a new building construction site at 821 1st Avenue, Manhattan. DOB inspectors determined that a piece of construction hardware fell off the site and struck an adjacent building window, and that proper safety measures had not been implemented to prevent the incident.
- \$6,250 in penalties issued to “55th St Marks Place”, the owners of 55 St. Marks Place, Manhattan, for failure to maintain the building, after six linear feet of decorative stone dislodged from the building’s facade and fell to the street below.
- \$5,000 in penalties issued to 55 Broadway Associates LLC, for a zoning violation due to a Privately-Owned Public Space (POPS) at 55 Broadway, Manhattan, that was found to be improperly maintained per the discretionary zoning agreement. DOB inspectors found that the information plaque for the POPS, indicating the hours it is open to the public, was missing from the location.

- \$5,000 in penalties issued to Allied XXVI, the owners of 182 Avenue A, Manhattan, after DOB inspectors discovered that work to remove gas piping and fittings for a stove in one of the apartments had been performed without a permit, and without DOB approvals or inspections.
- \$1,250 in penalties issued to PCK Realty Inc., the owners of 109 East Broadway, Manhattan, after DOB inspectors discovered that the elevator in the building did not have a door look monitoring system, which is required by Code.

Queens

- \$20,000 in total penalties issued to General Contractor AWL Industries after DOB inspectors found multiple construction site safety violations at an alteration construction site at 71-15 Beach Channel Drive, Queens. At the time of the inspection, DOB inspectors found workers performing work near leading edges wearing safety harnesses that were not hooked into anchor points, rendering them useless. In addition, it was determined that neither the registered Site Safety Manager, nor a competent person, was on site at the time of the inspection.
- \$16,550 in penalties issued to Tracking Number Holder D&D Restoration Corp. after DOB inspectors found multiple construction site safety violations at an alteration work site at 89-52 70th Road, Queens. At the time of the inspection, DOB inspectors found workers in a 10-foot deep excavation hole without proper exits, and workers on a second floor working deck with no protection for people below. In addition, DOB inspectors found the following safety violations: unsafe storage of combustible fluids, workers not provided with protective equipment including hard hats, expired work permits, work that did not conform with the approved plans, no site safety competent person on site, and workers on site without required SST/OSHA training cards. An additional \$10,000 in penalties was issued to Mohammad Mobruk, the designated Construction Superintendent for the work site.

Staten Island

- The owner of 206 Hamilton Avenue, Staten Island, was cited for illegally using the premises for dead vehicle and junk storage. Prior to the scheduled OATH hearing, the illegal use was discontinued, and the hearing was withdrawn. The Department will continue to monitor the premises for continued compliance.



Construction and Design Professionals

- Following an audit of four professionally certified applications submitted by Registered Architect Alexander Zabasajja, the Department found major code non-compliances, including proposing changes in use, egress and/or occupancy under Alteration Type 2 applications, when they require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide rooftop Fire Department access; proposing a Commercial Zoning Use not permitted as-of-right in a Residential Zoning District; inadequate egress issues; inadequate fire-rated materials and fire separation; inadequate light, air, ventilation and room size; and various other violations of Code and rules. Mr. Zabasajja agreed to a voluntary surrender of Professional Certification and Directive 14 privileges effective September 1, 2020.
- Following an audit of eighteen professionally certified scaffold and structural applications submitted by Registered Architect Mark Dooling, the Department found major code non-compliances, including insufficient structural designs and incomplete structural details, among others. Mr. Dooling agreed to a voluntary surrender of his Professional Certification and Directive 14 Privileges effective September 9, 2020.
- Following an audit of five professionally certified applications submitted by Professional Engineer Wu (Woody) Chen, the Department found major code non-compliances, including proposing changes in use, egress and/or occupancy under Alteration Type 2 applications, when they require Alteration Type 1 applications for a new or amended Certificate of Occupancy; inadequate egress issues; inadequate fire-rated materials; and various other violations of Code and rules. Mr. Chen agreed to a voluntary surrender of his Professional Certification and Directive 14 Privileges effective September 22, 2020.
- Following an investigation into the technical and special inspection reports submitted by Professional Engineer Raman Kumar, acting as Director of the registered Special Inspection Agency, Superior Inspections and Consulting, the Department filed a petition at OATH to disqualify Mr. Kumar from performing special inspections in New York City. It was determined that Mr. Kumar failed to maintain and make available records and reports related to multiple special inspections at work sites around the city; failed to dispatch qualified inspectors to perform special inspections at multiple sites around the city; failed to review special inspection reports of inspectors under his supervision; conducted special inspections for work types he was not registered to perform; and subcontracted special inspection jobs to people not under his direct employment. Mr. Kumar agreed to a stipulation at OATH for a four-year surrender of all special inspection privileges in New York City.

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

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