

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

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

- 18 violations and \$316,000 in penalties, including daily penalties, issued for illegal building alterations at four separate locations.
- 28 violations and \$243,000 in penalties, including daily penalties, issued for illegal transient use of buildings at six different locations.
- 37 violations and \$415,000 in penalties issued for failure to safeguard construction sites on 35 separate occasions.
- 15 violations and \$165,000 in penalties issued to 15 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for November 2019:

Brooklyn

- \$10,000 in penalties issued to Construction Superintendent Benjamin Machaelov for failure to perform his required duties, after DOB inspectors observed a construction site with numerous unsafe conditions at 1133 57th Street, Brooklyn, including improper egress, no overhead protection, and a missing fence.
- \$12,500 in penalties issued to Safety Registrant Harris Home Repair & Development for failure to designate a competent person as construction superintendent, and failure to have a competent person responsible for safety present at their construction site located at 1270 64th Street, Brooklyn.
- \$10,000 in penalties issued to Tracking Number Holder High Quality Construction for failure to safeguard their construction site at 2170 86th Street, Brooklyn. DOB inspectors observed multiple safety violations at the site including, a 2-foot wide unprotected hole in one of the site's walkways, egress routes that did not have sufficient overhead protection, and construction debris which had fallen on to the sidewalk.

- \$25,000 in penalties issued to Safety Registrant All-Rite Construction Co. for failure to safeguard their construction site at 1473 Fulton Street. DOB inspectors observed that a twenty square foot section of the building façade had collapsed on to the sidewalk below.
- \$10,000 in penalties issued to General Contractor Vintage Homes Inc. for failure to safeguard their construction site at 61 South 4th Street, Brooklyn, after DOB inspectors found the vacated building in a state of disrepair and open to the public.
- \$10,000 in penalties issued to General Contractor Cheever Development Corp. for failure to provide a Construction Superintendent for their work site at 418 Snediker Avenue, Brooklyn. DOB inspectors determined that that the Construction Superintendent's daily logs were not signed, and there was no indication from the logs that a Construction Superintendent had been on the site in over a month.
- \$12,000 in penalties issued to Brighton Venture LLC, the owners of 2939 Brighton 8th Street, Brooklyn, for failure to maintain the building. DOB inspectors observed that the vacant five-story building was in a state of disrepair, with a 4 foot by 10 foot section of the exterior wall bulging out.
- \$300,000 in total penalties issued to CIDA Realty Corp., the owners of 154 Washington Avenue, Brooklyn, for the illegal conversion of a three-family house into five separate single room occupancy (SRO) units.
- Following enforcement actions taken against Monica Realty LLC, the owners of 274 55 Street, Brooklyn, for an illegal rooftop advertising sign was removed from the top of the building. A \$3,750 penalty was issued to the owner.
- Following enforcement actions taken against Hak Realty Inc., the owners of 125 26th Street, Brooklyn, an illegal outdoor advertising sign was removed from the side of the building. A \$30,000 penalty, for six separate violations, was issued to the owner.
- Following enforcement actions taken against 4220 3rd Ave Housing LLC, the owner of 4220 3rd Avenue, Brooklyn, four illegal outdoor advertising signs on the building's roof and side were removed. A \$200,000 penalty, for twenty separate violations, was imposed on the owner.
- The owner of 896 Belmont Avenue, Brooklyn was cited for illegally using the property as an auto repair business. An Order of Closure was issued and the property was padlocked by the Department.
- Following the issuance of a criminal court summons to Louis Petrosino and 539 Smith Street Realty Corp., the owners of 539 Smith Street, Brooklyn, the Department was able to gain compliance from the owner in removing an illegal monopole sign structure from the property. In addition, a fine of \$4,000 was imposed on the owners.

Manhattan

- \$20,625 in total penalties issued to General Contractor Ambrosino Construction Corp. after DOB inspectors observed their construction site at 146 West 92nd Street, Manhattan, had multiple safety violations including inadequate overhead protection, and unsafe storage of combustible materials.
- \$19,875 in total penalties issued to Safety Registrant NY Skyline Gen Const. Corp. for multiple violations related to improper use of a suspended scaffold system at 725 West 175th Street, Manhattan. DOB inspectors observed that the scaffold system stirrups were placed incorrectly, the lifelines were not properly protected, there were no bearing blocks used for the C-hooks, improper installation of tiebacks, and missing designs and inspection letters for the system.
- \$17,000 in penalties issued to 436 West 52 LLC, the owners of 436 West 52nd Street, Manhattan, for illegal occupancy of the buildings cellar and illegal transient use of apartments in the building.
- \$12,500 in total penalties issued to 880 St. Nicholas LLC, the owner 880 St. Nicholas Avenue, Manhattan, for illegal work without a permit to erect a scaffold over 50 feet tall where a worker fall occurred.
- \$24,750 in penalties issued to 416 W 25 Street Associates LLC, the owners of 416 West 25th Street, Manhattan, for illegal transient use of an apartment in the building, which was advertised on Airbnb as a short term rental.
- \$101,250 in penalties issued to Highpoint Associates LLC, the owners of 410 West 46th Street, Manhattan, for illegal transient use of an apartment in the building, after it was discovered that the apartment was being rented out on a short term basis for \$500 a night.

Queens

- \$25,625 in penalties issued to Safety Registrant Ross & Associates after DOB inspectors observed their construction work site at 42-02 Crescent Street, Queens, had multiple safety violations, including missing guard rails, inadequate safety measures, and work performed contrary to approved plans.
- \$15,000 in penalties issued to Safety Registrant Liberty One Constr. after DOB inspectors observed their construction work site at 78-16 Cooper Avenue, Queens, had multiple safety violations, including missing guardrails, and inadequate housekeeping measures on site.
- \$12,500 in penalties issued to Safety Registrant AAA General Construction after a concrete blowout occurred at 41-62 Bowne Street, Queens, causing 5 cubic yards of

concrete to spill out over a neighboring active driveway. DOB inspectors later discovered that there were no design drawings for the concrete formwork on site, as is required.

- \$5,000 in penalties issued to General Contractor Park Premium Enterprises after DOB inspectors discovered that they had erected a scaffold over 40 feet tall at 92-32 Union Hall Street, Queens, without a permit.
- \$25,000 in penalties issued to General Contractor Wing Jay Construction Inc. for failure to safeguard a construction site located at 134-19 Blossom Avenue, Queens, after they removed the building facade, causing insulating material and construction debris to fall onto a neighboring property.
- \$10,000 in penalties issued to Construction Superintendent Isaac Stern for failure to perform his required duties on a construction site, after DOB inspectors observed unsafe storage of gasoline and an improperly installed construction fence at 51 Veronica Place, Brooklyn.
- \$20,000 in penalties issued to Lane Tower Condo, the owners of 107-40 Queens Boulevard, Queens, for failure to maintain the building facade and failure to provide pedestrian protection measures, after DOB inspectors found deteriorating masonry below multiple terraces on two sides of the building.
- \$135,750 in total penalties issued to KNL 2013 Realty Inc., the owners of 137-61 Laburnum Avenue, Queens, for the illegal conversion of a single family house into six separate single room occupancy (SRO) units, advertised as a hotel in a local newspaper.
- \$216,250 in total penalties issued to Larry Wei Lai the owner of 38-30 149th Place, Queens, for the illegal conversion of a two-family house into six separate single room occupancy (SRO) units.
- \$488,550 in total penalties issued to Geng Shen Ke and Zheng Yi, the owners of 136-02 35 Avenue, Queens, for the illegal conversion of a three-family house into a 12-family house, illegal construction work performed without a permit, illegal occupancy of the garage, and failure to obey issued DOB vacate orders.
- The owner of 64-56 Admiral Avenue, Queens, was cited for illegally operating a contractor's establishment on the property. An Order of Closure was issued after the owner did not show up to a scheduled hearing at the Office of Administrative Trials and Hearings (OATH) and the property was padlocked by the Department.

Construction and Design Professionals

- Following an audit of sixteen professionally certified applications submitted by Registered Architect Jeffrey Geary, the Department found multiple code non-compliances including inadequate egress, inadequate handicap accessibility, inadequate

fire ratings, proposing work under Alteration Type 2 applications that require an Alteration Type 1 application for a new or amended Certificate of Occupancy, infractions of the Zoning Resolution relating to side yards and parking, as well as inadequate light and ventilation in habitable rooms. Geary agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective November 1, 2019.

- Following an audit of eight professionally certified applications submitted by Professional Engineer Syed Rizvi, the Department found multiple code non-compliances, including proposing work under Alteration Type 2 applications that require an Alteration Type 1 application for a new or amended Certificate of Occupancy, inadequate egress issues, inadequate light and ventilation in habitable rooms, inadequate handicap accessibility, proposing a structural alteration in a non-conforming use building, and infractions of the Zoning Resolution relating to side yards, unpermitted obstructions, and floor area rate. Rizvi agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective November 1, 2019.
- Following an investigation into the technical report submissions and special inspections performed by Professional Engineer Aleksandr Lisitsyn, who was acting as the director of registered Special Inspection Agency Quality Consultants, the Department filed a petition to disqualify Lisitsyn from performing special inspections in New York City. DOB's investigation found that Lisitsyn assumed responsibility to conduct special inspections without employing anyone that possessed the proper qualifications. It was also determined that he also failed to dispatch qualified special inspectors to multiple construction sites, failed to review special inspection reports, and performed inadequate inspections on four job sites. Lisitsyn agreed to a voluntary surrender of his special inspection privileges, effective November 1, 2019.
- Quality Consultants Special Inspection Agency was disciplined for failure to properly maintain inspection records; failure to sign and seal inspection reports; failure to ensure special inspections were properly supervised; taking responsibilities for special inspections for which it had no properly qualified personnel; and for failure to properly perform inspections. Pursuant to the stipulation, the respondent voluntarily surrendered its Special Inspection Agency License on November 1, 2019.
- Following an investigation by the Department, it was determined that Registered Architect Salvatore Tartaglione had performed special inspections at 254 jobs in New York City, and filing false statements on special inspection reports. Tartaglione agreed to a suspension of all of his filing privileges with the Department for a period of three years, disqualification from the performance of special inspections, and surrender of his Professional Certification and Directive 14 privileges, effective November 15, 2019.

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