

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from November 2022 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 November 2022, 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. Today's bulletin includes summaries of DOB-imposed disciplinary actions, including penalties, 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 completed a number of major enforcement actions in November, including:

- 15 violations and \$210,000 in penalties issued for failure to safeguard construction sites on 13 separate occasions.
- 41 violations and \$726,437 in penalties, including daily penalties, issued for illegal building alterations at 7 locations.
- 12 violations and \$135,000 in penalties issued to 12 different individuals for failure to carry out duties of construction superintendents.
- 4 violations and \$15,250 in penalties, including daily penalties, issued for illegal transient use at 1 location.

Below are individual enforcement highlights for November 2022:

Bronx

- \$75,000 in total penalties issued to SBA Chisholm Development LLC for violations recorded at 1322 Chisholm Street. DOB inspectors issued violations to the building owner for converting the legal 2-family residence into an illegal 7-family residence.
- \$25,000 in penalties issued to tracking number holder Bowne Tech Construction Corp. for a violation recorded at 20 Bruckner Blvd. DOB inspectors issued a

violation for failure to institute safety measures following the death of worker on a scissor lift that he was not trained to operate.

- \$25,000 in penalties issued to Construction Superintendent William Joney for violations recorded at 20 Bruckner Blvd. DOB inspectors issued a violation for failure to perform duties after workers used an unapproved device to remove debris. The device fell on a worker, resulting in a worker fatality.
- \$6,250 in penalties issued to Amanda Rose for violations records at 3605 Holland Ave. Following a fire that injured 19 people, FDNY requested a DOB inspection. DOB inspectors issued a violation for illegal alterations after finding illegal apartments/living areas that had been created in the cellar and garage on the premises.
- \$2,500 in penalties imposed on DG Fordham LLC for violations recorded at 311 East Fordham Road. DOB inspectors issued two violations, one for displaying an outdoor sign without a permit, and a second for displaying it in a prohibited zone.



Brooklyn

- \$88,750 in total penalties issued to 989 Bedford ID LLC for violations recorded at 989 Bedford Ave. DOB inspectors found that the apartment had been altered to create four single room occupancies which each had key locking devices. Inspectors also cited the building owner for additional safety violations.
- \$50,000 in penalties issued to Perciballi Industries Inc. for violations recorded at five locations: 495 President Street, 465 President Street, 473 President Street, 542 Union Street, and 534 Union Street. DOB inspectors issued the violations for failure to provide pedestrian protection where it was required and inadequate use of Yodock barriers.
- \$35,000 in penalties issued to Jetro Real Estate Company and Astraline Media for violations recorded at 570 Hamilton Avenue. DOB inspectors issued violations for erecting an advertising sign without a permit and in a prohibited location near an arterial, and for failure to register the sign . At their hearing the respondents

made an accessory sign argument that was rejected by the Hearing Officer, and the electric sign was turned off. DOB will monitor the location for compliance.



- \$25,000 in penalties issued to Structure King Inc. for a violation recorded at 855A Mother Gaston Boulevard. DOB was notified by FDNY of an incident where a 40x4 ft. concrete block fell from the top of a building on the site into an adjacent lot, and inspectors issued a violation for failure to safeguard the site.
- \$13,750 in total penalties issued to Lati Construction Corp. for violations recorded at 549 61st St. DOB inspectors issued violations for failure to inform DOB before commencing earthwork, as well failure to give site safety orientation or pre-shift meetings. Inspectors also observed no safe egress from 10-foot excavation pit work, and no timber pilings for shoring as required by plans.
- \$8,750 in total violations issued to Pronar Realty LLC for violations recorded at 231 46th St. DOB inspectors issued violations for use of warehouse site that was contrary to its Certificate of Occupancy after finding that it had been converted into an event hall housing >100 occupants. Inspectors also cited the building owner for working without a permit, and for an improper door swing with illegal hardware on it.
- \$5,000 in penalties issued to Muss and Muss c/o Brooklyn Renaissance Plaza for a violation recorded at 350 Jay Street. DOB inspectors cited the building owner for having no plaques or signage at the location, a violation of a zoning requirement.
- \$2,500 in penalties issued to Monadnock Construction Inc. for a violation recorded at 282 Hinsdale St. DOB inspectors issued a violation for allowing concrete washout water to spill out onto the street and sewer.
- An OATH hearing was scheduled for the owner of 1602 East 56th Street for use of the premises for illegal auto repairs and dead vehicle/junk storage.



Manhattan

- Over \$4 million in Penalties (from 2010 to 2022) issued to owners of premises at 245 East 36th Street for illegal advertising sign structure. The location was referred to the Law Department’s Affirmative Litigation Unit and over \$2 million of these fines have been collected. A recent inspection by DOB confirmed that the sign structure was removed, and the premises will be monitored for compliance.



- \$15,000 in mitigated penalties issued to Fronrunner Technologies for violations recorded at 1440 Broadway. DOB inspectors issued violations to the owner for posting an advertising sign without a permit and in a prohibited zone, and also failing to register as an OAC. The sign was removed prior to the first hearing date, and DOB will monitor the premises for compliance.



- \$14,350 in total penalties issued to L2 Construction Inc. for violations recorded at 32 Rutgers St. DOB inspected the six-story building and found multiple violations, including no site safety orientation, inadequate housekeeping, a cement truck blocking pedestrian pathway, and a failure to install safety netting on floors above the sidewalk shed. Additionally, inspectors cited the contractor for having ineffective Yodock barriers, and allowing excess concrete to wash down the sewer.
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- \$6,250 in penalties issued to Grand Liberee Cooper Andrews Building Corp for a violation recorded at 96 Grand Street. DOB inspectors issued a violation for failure to maintain the building after a 6" x 2' section of decorative stone fell from the building's 3rd floor and struck a pedestrian.
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Queens

- \$50,000 in total penalties issued to HP Arverne Preservation Housing for violations recorded at 57-07 Shore Front Parkway, a 9-story building with document unsafe façade filing. DOB inspectors cited the respondent for failure to take required safety measures.
- \$42,500 in penalties issued to the owner of the premises at 24-59 32nd Street for illegal advertising signage. DOB inspectors issued the violations as the signage was not accepted for arterial registration. Following a settlement agreement signed by the property owner to permanently discontinue the illegal use, DOB inspectors confirmed that the sign was removed and will monitor the premises for compliance.



- \$25,000 in total penalties issued to Ramanand Chandrabali for violations recorded at five locations: 77-21 Key Forest Lane, 144-32 130th Street, 135-39 14th Street, 133-17 130th Street, and 133-15 130th Street. DOB inspectors issued violations for working at these active construction sites with an expired license.
 - \$20,000 in total penalties issued to L&L Construction Developer and Ken Ko for violations recorded at 146-33 Holly Ave. DOB inspectors cited the contractor and owner for failing to notify DOB of an incident where a worker fell from the roof of a two-family house where he was working. DOB also cited the contractor and owner for inadequate safety measures at the site.
 - \$18,750 in total penalties issued to L&L Construction Development for violations recorded at 35-30 81st Street. Across two separate visits, DOB inspectors issued violations for failure to provide protection at sides of excavation pits and failure to provide unobstructed exits. Additionally, the contractor was cited for working while on notice of a Stop Work Order, and failure to ensure that workers had required training.
 - \$10,000 in penalties issued to safety registrant Hua Yang Inc. for a violation recorded at 26-01 4th St. DOB inspectors issued a violation for failure to safeguard a worksite after approximately 150 ft. of construction fence collapsed onto sidewalk.
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- An OATH hearing was held for the owners of 100 Beach 25th Street for illegal use of the premises as a contractor's yard and for junk storage. OATH hearing resulted in a favorable report and recommendation for closure of the property, and during the posting inspection DOB found that the illegal use had been discontinued. Nonetheless an Order of Closure was posted at each entry to the site for notice purposes, and the property will be padlocked if the illegal use resumes.



- A default OATH hearing was held for the owners of 167-36 145th Avenue for illegal storage of a dead vehicle and other junk on the property. The hearing resulted in a favorable report & recommendation, and an Order of Closure was posted at the premises, which will be padlocked if the illegal use is not discontinued.



- An OATH hearing was scheduled for the owners of 80-62 253rd Street for using their premises for illegal auto repairs and dead storage. However, prior to the hearing, evidence was submitted that the illegal use was discontinued. The premises will be monitored for compliance.



- An OATH hearing was scheduled with the owner of 135-40 126th Street for premises being used for commercial and dead vehicle storage. However, prior to hearing, the owner agreed to discontinue the illegal use and a recent stipulation compliance inspection confirmed that the use has been discontinued. The premises will be monitored for continued compliance.



- An OATH hearing has been scheduled with the owner of 145-59 Farmer's Boulevard for illegal junk storage at the premises.



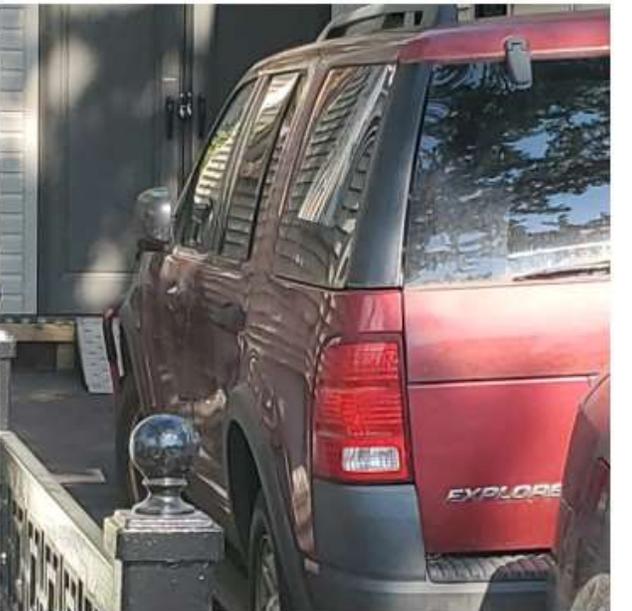
- An OATH hearing has been scheduled for the owners of 223-01 & 223-15 Merrick Boulevard for using the premises for an illegal contractor's yard, and commercial vehicle/junk storage.



- An OATH hearing has been scheduled for the owners of 144-52 225th Street for using the premises for an illegal contractor's yard, and commercial vehicle/junk storage.



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- An OATH hearing has been scheduled for the owners of 112-37 207th Street for using the premises for an illegal dead vehicle/junk storage.



Staten Island

- \$30,000 in penalties imposed on Moshe Chene for violations recorded at 920 Hylan Boulevard. DOB inspectors issued the violation for displaying the

advertising sign without a permit and in prohibited zone. Chene was also issued a violation for failure to register as an OAC. The sign has been removed and will be monitored by DOB for compliance.



- \$17,500 in total penalties issued to Thomas Scipione for violations recorded at 123 Peare Place. A Stop Work Order was issued for the construction site, but DOB inspectors found ongoing work in disregard of the Stop Work Order on two separate visits.
- \$13,125 in total penalties issued to L2 Construction Inc. for violations recorded at 400 Lake Avenue. At a General Contractor 1,2,3-family home demolition site, DOB inspectors issued violations for lack of guardrails on the leading edges of the rood and second floor, and lack of fall arrest system for workers on rood. Additionally, inspectors cited the contractor for debris causing a tripping hazard, and failure to post No Smoking signs.

Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Registered Architect Amalia Bournias, SET found major code non-compliances. These included: filing Alteration Type 2 applications proposing changes in use, egress, and/or occupancy, actions which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide adequate means of egress; increasing the degree of zoning non-compliance in an existing non-complying building; failure to provide adequate fire rated materials; failure to provide adequate accessibility for persons with physical disabilities; and various

other violations of code and rules, including the Multiple Dwelling Law, Housing Maintenance Code, Zoning Resolution, Building Code, and Administrative Code. Based on the audits, the architect voluntarily surrendered their Professional Certification and Directive 14 privileges.

- Class 2 Filing Representative Richard Nagan was disciplined for behaving unprofessionally while on the phone with a DOB employee. Nagan agreed to pay a \$250 fine and to have his license put on probation for a period of 30 days.
- Elevator Agency Director Sara Agosto was disciplined for fraudulently submitting a backdated CAT 5 inspection report to avoid a late penalty. Agosto agreed to pay a \$7,500 fine and to have her licenses put on probation for a period of 18 months.