

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

New York, NY — Today, the New York City Department of Buildings released its December 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 December, including:

- 51 violations and \$1,208,250 in penalties, including daily penalties, issued for illegal building alterations at 10 locations.
- 34 violations and \$400,000 in penalties issued for failure to safeguard construction sites on 32 separate occasions.
- 12 violations and \$117,063 in penalties, including daily penalties, issued for illegal transient use at three separate locations.
- 10 violations and \$115,000 in penalties issued to 10 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for December 2020:

Brooklyn

- \$240,000 in total penalties, including daily penalties, issued to Jian Ming Lu, the owner of 513 52nd Street, Brooklyn, for illegal alterations, after DOB inspectors found that the two-family home had been illegally converted into multiple single room occupancy (SRO) units. Additional penalties were issued for safety violations including inadequate egress, fire alarms and sprinklers in the building.
- \$68,750 in total penalties issued to General Contractor Hyper Structure Corp., for multiple violations at a construction site at 96 16th Street, Brooklyn, after a worker fell from a scaffold onto an adjacent property's awning. Additional

penalties were issued for working against a DOB-issued Stop Work Order (SWO), removing the posted SWO notice at the work site, and working after hours without an afterhours variance.

- \$10,000 in penalties issued to General Contractor DHC Contracting Inc., for failure to safeguard after a DOB investigation found excavation work at a construction site at 822 59th Street, Brooklyn, had caused large cracks to form at the party wall and first floor staircase of an adjacent building.
- \$10,000 in penalties issued to Safety Registrant Armory Builder III LLC for failure to safeguard a construction site at 1561 Bedford Avenue, Brooklyn, after DOB inspectors found soil at the rim of the excavation pit was not stored properly, and was posing a potential collapse risk.
- \$5,000 in penalties issued to Safety Registrant Armory Builder III LLC for continuing work at a construction site at 1089 President Street, Brooklyn, while a DOB-issued Stop Work Order was in effect at the site.
- \$6,250 in penalties issued to Rubin Ocean LLC for a failure to maintain the building facade at 2630 Ocean Avenue, Brooklyn, after DOB inspectors observed damaged mortar joints and cracks along the exterior walls.
- The owners of 1297 Troy Avenue, Brooklyn, were previously cited for illegally using the premises for dead and commercial vehicle storage. The owners entered into a stipulation to discontinue this illegal use, however a follow up inspection to verify compliance revealed that while there was a reduction in the number of dead vehicles and junk storage, there still a lack of total compliance with the stipulation. As a result, an Order of Closure was posted at the premises to notify the property owner that the location would be padlocked. A later inspection revealed that the illegal use was discontinued and the Order of Closure was rescinded.



Manhattan

- \$25,000 in penalties issued to General Contractor Flintlock Construction Services LLC, for failure to hold the required pre-shift meeting at a construction site at 1227 Broadway, Manhattan, where a fatal construction incident occurred in October 2019. The worker suffered a fatal head injury while standing on a temporary platform inside of an elevator shaft. This enforcement action represents only of the many violations issued by DOB related to this fatal incident.
- \$12,500 in total penalties issued to Safety Registrant Lend Lease US Construction, for failure to safeguard a 85-story new building under construction at 430 East 58th Street, Manhattan, after DOB inspectors discovered that a piece of wood that had fallen from the work site first fell on to an HVAC unit at the 7th floor, and then fell to the ground below. Additional penalties were issued after DOB inspectors found that the sidewalk shed at the site was not code compliant.
- \$25,000 in penalties issued to property owners Akam Associates Inc., for failure to implement safety measures after unsafe façade conditions were documented at 215 West 98th Street, Manhattan.
- \$40,000 in penalties issued to West 29th Ministorage LLC, for displaying a rooftop advertising sign at 541 West 29th Street, Manhattan, without a permit and in a prohibited zone. They also were cited for not registering as an Outdoor Advertising Company (OAC).



Queens

- \$185,000 in penalties, including daily penalties, issued to 133 Guy Brewer Blvd. Corp., owners of 133-18 Guy Brewer Boulevard, Queens, for illegal alterations after a DOB investigation found that the single-family house had been altered to an illegal six-family building by dividing rooms into multiple Single Room Occupancy (SRO) units.

- \$17,500 in total penalties issued to General Contractor Monadnock Construction, for failure to safeguard a construction site at 108-75 62nd Drive, Queens, after a worker was injured walking on rebar at the site and suffered a twisted ankle. A DOB inspection also found that the site lacked sufficient clear space, inadequate housekeeping, and inadequate egress in the area where foundation work was being performed. Additional penalties were also issued for tampering with evidence following this work site injury.
- \$22,500 in total penalties issued to General Contractor Prince Contracting Inc., for failure to safeguard and not having a controlled access zone at a construction site located at 36-43 31st Street, Queens. Additional penalties were issued for failure to notify DOB prior to performing a demolition, failure to provide a required pre-shift meeting, inadequate housekeeping, and for not having sidewalk shed as required.
- \$18,750 in total penalties issued to DLC Development Corp., the Safety Registrant for a construction site at 135-25 142nd Street, Queens, after a worker fell from a scaffold at the site. A DOB investigation found no evidence that a site safety orientation or pre-shift meeting had taken place prior to the worker fall. DOB inspectors also determined that the scaffold was not built according plans and that the site lacked adequate housekeeping.
- \$18,250 in total penalties issued to 146-16-18 Jamaica Ave Corp., owners of 146-18 Jamaica Avenue, Queens, for failure to comply with a DOB-issued Vacate Order for the building, and for removing the associated DOB-issued Vacate Order sticker at the property.
- \$1,200 in penalties issued to Boris Abayev for displaying an outdoor advertising sign at 150-21 Coolidge Avenue, Queens, which is a prohibited zone.



- The owners of 142-33 127th Avenue, Queens, were cited for illegally using the premises for dead vehicles and junk storage. After an OATH hearing was held for the illegal use, an Order of Closure was posted at the premises. DOB will be padlocking the property if illegal use is not discontinued.



Staten Island

- \$10,000 in penalties issued to Construction Superintendent Artur Agushi for failure to perform his duties at a construction site at 335 Otis Avenue, Staten Island, after DOB inspectors found no competent person onsite at the time of inspection.

Construction and Design Professionals

- Construction Superintendent Isaac Stern was disciplined for failure to discharge the duties of a construction superintendent at a worksite in Brooklyn where an incident occurred, and an adjoining property was badly damaged. Mr. Stern failed to visit the work site every day that work was occurring, did not perform required inspections, and did not maintain a daily construction superintendent log at the worksite. Mr. Stern also failed to ensure that the work occurring at the work site conformed to the approved construction plans. Pursuant to a stipulation, Mr. Stern agreed to a 9-month suspension of his license, followed by three years of probation. The suspension began on December 2, 2020.
- Licensed Master Plumber Benjamin Rubenstein was disciplined for failure to be properly established after it was discovered that Mr. Rubenstein was not operating his plumbing business from the location on file with the Department. Mr. Rubenstein agreed to a fine of \$1,000 and a one-year term of probation. The stipulation was effective as of December 29, 2020.

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

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