



# The Environmental Control Board

A Division of the Office of Administrative Trials and Hearings

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February 27, 2014

Timothy Hogan  
Deputy Commissioner for Enforcement  
Administrative Enforcement Unit  
NYC Department of Buildings  
280 Broadway, 5<sup>th</sup> floor  
New York, NY 10007

RE: Expansion of Selected DOB violations to be adjudicated by Mail, Internet or Telephone

Dear Commissioner Hogan:

In January, 2013, Renaldo Hylton on behalf of the Department of Buildings (“DOB”) and I, on behalf of the New York City Environmental Control Board (“ECB”) had a conversation concerning the adjudication of certain DOB violations returnable to ECB.

48 RCNY 3-34 authorizes ECB to designate certain classes of alleged violations for adjudication by mail (“Mail Adjudication”) and to prescribe procedures for such adjudications. ECB has prescribed procedures for remote adjudication that include hearings by mail, One Click hearings (internet), and hearings by telephone.

I am writing to confirm DOB’s consent to remote adjudication for the violations contained in the table below.

Section of Law	ECB Code	Class	Description
1RCNY-Misc,RS-Misc	B379	Class 3	Miscellaneous violations
27-509 & BC3111.1	B307	Class 3	Fence exceeds permitted height
27-3018(b)	B308	Class 3	Electrical work does not conform to approved submitted documents/amendments
27-3018(b)	B309	Class 3	Electrical work without a permit

Section of Law	ECB Code	Class	Description
27-3018(b)	B310	Class 3	Failure to conspicuously post elec. work permit while work in progress
27-misc,28-misc,BC-misc	B306	Class 3	Miscellaneous violations
28-105.1	B301	Class 3	Work without a permit
28-118.3.2	B303	Class 3	Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records
EC Misc	B311	Class 3	Miscellaneous violations of the Electrical Code technical Standards
EC 110.2	B312	Class 3	Failure to close unused openings (knockouts) in outlet/panel box
EC 110.2	B313	Class 3	Failure to use approved conductors and/or equipment
EC 110.25	B314	Class 3	Electrical closet not dedicated to electrical distribution equipment only
EC 210.52(A)	B315	Class 3	Failure to provide proper spacing between receptacle outlets
EC 240.3	B316	Class 3	Failure to provide adequate circuit overcurrent protection device per table
EC 250.4	B317	Class 3	Failure to properly bond electrical systems
EC 314.23	B318	Class 3	Failure to secure electrical device enclosure per section requirement
EC 408.4	B319	Class 3	Failure to provide required circuit directory/identification
PC-Misc, FGC-Misc, MC-Misc.	B 380	Class 3	Miscellaneous violations
ZR 22-00	B385	Class 3	Illegal use in residential district
ZR 25-41	B383	Class 3	Violation of parking regulations in a

Section of Law	ECB Code	Class	Description
			residential district
ZR-Misc	B384	Class 3	Miscellaneous violations of the Zoning Resolution
BC3301.9 & 27-1009(c)	B217	Class 2	Failure to provide/post sign(s) at the job site pursuant to subsection
BC 3303.3 & 27-1020	B218	Class 2	Failure to post D.O.T. permit for street/sidewalk closing
28-105.11	B220	Class 2	Failure to post permit for work at premises
28-302.5	B227	Class 2	Failure to file Amended Facades Report
28-302.5	B230	Class 2	Failure to file Facades Report
ZR 25-41	B283	Class 2	Parking in Residential District
28-204.4	B263	Class 2	Failure to comply with the commissioner's order to file a certificate of correction with the Department of Buildings


If either party decides that a DOB violation should no longer be adjudicated remotely, it will be removed from the remote adjudication list upon ninety (90) days notice to the other party. Please countersign below and return a copy of this letter to me, so that we both have a formal record of our agencies agreement.

Thank you for your assistance and support in ECB's effort to expand the public's access to justice.

Sincerely,

  
 Amy Slifka, Esq.  
 Deputy Commissioner & Executive Director

Agreed:

  
 Department of Buildings