

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from December 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 December 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:

- 13 violations and \$145,000 in penalties issued for failure to safeguard construction sites on 12 separate occasions.
- 21 violations and \$327,152 in penalties, including daily penalties, issued for illegal building alterations at 4 locations.
- 6 violations and \$60,000 in penalties issued to 6 different individuals for failure to carry out duties of construction superintendents.
- 4 violations and \$28,625 in penalties, including daily penalties, issued for illegal transient use at 1 location.

Below are individual enforcement highlights for December 2022:

Bronx

- \$180,000 in total penalties issued to 1630 Macombs Hsg Development for violations recorded at 1630 Macombs Road. DOB inspectors have issued summonses with daily penalties for illegal alterations at the location where inspectors observed the cellar apartment on the premises altered to add three Single Residency Occupancies.

- \$63,125 in total penalties issued to Ivan M. Guzman for violations recorded at 2675 Bainbridge Avenue. DOB inspectors issued summonses with daily penalties to the respondent for illegal alterations after finding the legal two-family home converted into an illegal six-family where dwellings were added in basement, first floor, and attic.
- \$50,250 in penalties issued to Townsend Realty Estates LLC for violations recorded at 1565 Townsend Avenue. Inspectors issued summonses with daily penalties for illegal alterations after finding the building converted from a 62-family to a 65-family residence. Inspectors observed Single Residency Occupancies in basement, a work having been done without a permit.
- \$50,000 in penalties imposed on 5991 Broadway LLC and Lamar Advertising of Penn LCC for violations recorded at 5991 Broadway. Inspectors issued violations to both for displaying an advertising sign without a permit and in a prohibited zone. Lamar was cited for not registering their sign in its arterial sign submission due to its proximity to Van Cortlandt Park.



- \$30,000 in total penalties issued to The J Pilla Group Ltd for violations recorded at 2721 Colden Avenue. DOB inspectors issued violations to the General Contractor for failing to safeguard the site after a drilling rig flipped over and caused damage to an adjacent property. Additionally, inspectors cited the General Contractor for not following Support of excavation plan, and for removing a job site fence.
- \$25,000 in penalties issued to Bainbridge House Inc. for violations recorded at 325 East 201st Street. DOB inspectors issued a violation after building owner failed to take required measures following the filing of an unsafe façade report.
- \$12,500 in penalties issued to Braffordable Housing LP for a violation recorded at 1038 Boston Road. DOB inspectors issued a violation after building owners failed to maintain the building where unsafe conditions were observed. An unsafe façade report was filed in 2015, but inspectors found no safety measures in place.

- An order of closure has been reposted at 2919 Paulding Avenue where the premises are being used as a contractor's yard and for building material storage. Following a prior order of closure the illegal uses were discontinued, avoiding a padlock, however a recent inspection revealed that the illegal use had resumed. The lot will be padlocked if the illegal use is not discontinued.



- A warning letter was issued for the premises of 1347 Intervale Avenue for illegal auto repairs and junk storage. Padlock Unit warning letters were sent to the owner and occupant and a subsequent inspection revealed that the illegal use was discontinued. The premises will be monitored for compliance.



Brooklyn

- \$10,000 in total penalties issued to Rogers Developers GRP LLC for violations recorded at 996 Carroll Street. DOB inspectors issued violations for failure to safeguard work site after a material-handling forklift collapsed onto a car in a public street. Additionally, inspectors cited the site owner for not having DOT permits, and for not conducting a pre-shift meeting.

- \$17,400 in total penalties issued to Galaxy Developers LLC for violations recorded at 69 Adams Street, a 26-story building under construction. DOB inspectors issued various violations to the General Contractor, including a sidewalk shed not in compliance, construction equipment on site that was not listed in the Site Safety Plan, and an absence of overhead and window protection.
- \$12,500 in penalties issued to Albest Metal Stamping Corp for a violation recorded at 89 North 13th Street. Inspectors cited the property owner for failure to maintain the building after observing an exposed section of parapet wall that was cracked and bulging, leading to a risk of collapse over a public sidewalk.
- An order of closure has been issued for 1309 East New York for dead storage. Prior to a hearing with OATH, a stipulation was entered into by the Respondent for the discontinuation of the illegal use. A recent inspection revealed that the illegal use was not discontinued, leading to the Order or Closure which will be posted at the premises.



- A stipulation to discontinue illegal use was entered into with by the owner and occupant of 145 Kenilworth Place. The premises is being used for shared business offices and an automobile driving school when only ambulatory and medical offices are permitted. A recent stipulation compliance inspection confirmed that the use has been discontinued noted by signs for the driving school's new address posted in the window. The premises will be monitored for compliance.



Manhattan

- \$20,000 in penalties imposed on Canal Street Studio Corp and Skyhigh Murals for violations recorded at 305 Canal Street. Inspectors issued the violations for displaying an advertising sign with excessive surface area. The premises will be monitored for compliance.



- \$10,000 in fines issued to Fifth Avenue Condo BHS MS MNT for a violation recorded at 445 5th Avenue. Inspectors cited the building for a violation of discretionary zoning where a public plaza at the location was closed to the public with a chain and a displayed “closed” sign.
- \$6,000 in penalties issued to Horizon Property II East 76th Street for violations recorded at 343 East 76th Street. DOB inspectors issued violations to the

property owner for failure to provide pedestrian protection by failing to provide lights under the building's sidewalk shed as is required.

Queens

- \$70,250 in total penalties issued to Kitty Ling Kwok for violations recorded at 86-16 94th Street. DOB inspectors have issued violations with daily penalties for illegal alterations after observing four Single Residency Occupancies added to a one-family home on the second floor and attic. Inspector cited the building owner for work without a permit and safety violations as well.
- \$37,500 in penalties issued to King C Steel Works LLC for violations recorded at 147-02 76th Road. DOB inspectors issued violations for having no lift director while operating active knuckle boom, as well as for a lack of certificate of on-site inspection and certificate of operation. Additionally, inspectors cited the company for using an uncertified rigging crew and an unlicensed operator.
- \$10,000 in penalties issued to Metrocity Construction for a violation recorded at 112-02 14th Road. DOB inspectors issued a violation to the General Contractor for failing to provide a sidewalk shed at the demolition site of a 30-foot high structure.
- \$10,000 in penalties issued to North Shore Towers Apartments for violations recorded at 269-10 and 271-10 Grand Central Parkway. DOB inspectors issued violations to the adjacent buildings for their failure to take required safety measures after the filing of unsafe façade reports on each building.
- \$5,000 in penalties imposed on LB Main Street LLC for violations recorded at 75-51 Main Street. DOB inspectors issued eight violations to the company for having two outdoor signs without permits or the required UL decals, and with excessive surface areas. The company also failed to have a licensed sign hanger attach or erect the signs. The premises will be monitored for compliance.



- An order of closure has been posted at 155-35 Linden Boulevard for illegal use. A recent inspection found that the premises are being used for offices, as well as boat and commercial vehicle storage. The lot will be padlocked if the illegal use is not discontinued.



- An order of closure has been posted at 88-02 199th Street for illegal use. A recent inspection revealed that the premises is being used as business office and for dead storage, and the lot will be padlocked if the illegal use is not discontinued.



- An order of closure and subsequent padlock was issued to the premises of 1107-07 and 107-11 Fern Avenue. The actions followed a default OATH hearing where OATH issued a report and recommendation for closure. A recent inspection revealed that the DOB padlock had been removed and illegal use continuing so it was re-padlocked.



- A padlock was issued to the premises of 1150-20 Centerville Street and 95-35 150th Road due to being illegally used as a contractor's yard and for commercial vehicle storage. A recent inspection revealed that the DOB padlock had been removed and illegal use continuing so it was re-padlocked.



- A padlock was issued to the premises of 159-17 Meyer Avenue for illegal use as an ironworks contractor's establishment. Subsequent to a contested OATH hearing an Order of Closure of Closure was issued. A recent inspection revealed that the DOB padlock had been removed and illegal use continuing so it was re-padlocked.



- A padlock was issued to 112-05 159th Street for the premises being used as an illegal ironworks contractor's establishment. Prior to a hearing with OATH, a stipulation was entered into for the discontinuation of the illegal use. A recent inspection revealed that the DOB padlock had been removed and illegal use continuing so it was re-padlocked.



- A padlock was issued to 111-25 159th Street for the premises being used for an ironworks contractor's establishment. Prior to a hearing with OATH, a stipulation was entered into for the discontinuation of the illegal use. A recent inspection revealed that the DOB padlock had been removed and illegal use continuing so it was re-padlocked.



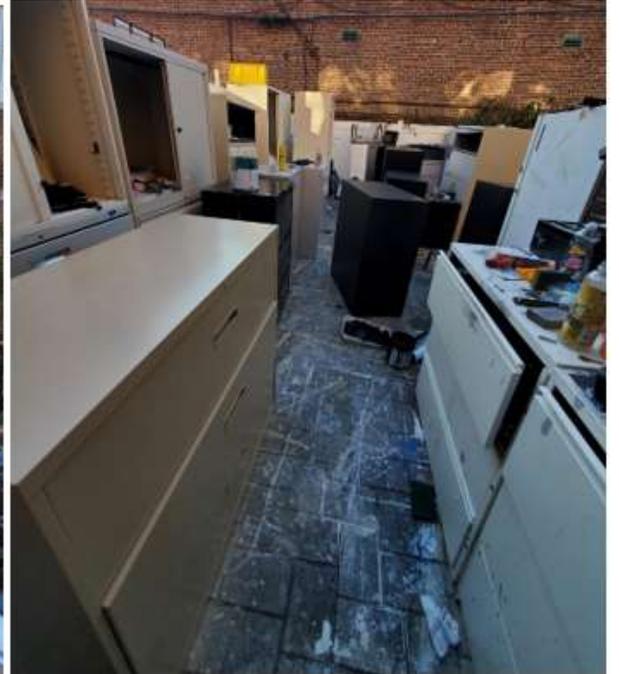
- A hearing has been scheduled with OATH for potential violation at 4 Broadway. The premises are being used as a contractor's yard and for commercial vehicle storage.



- A hearing has been scheduled with OATH for illegal use recorded at 220-12 147th Avenue where the premises are being used for an airport parking lot.



- A hearing has been scheduled with OATH for illegal use recorded at 37-50 75th Street where the premises are being used for furniture storage.



Staten Island

- \$6,250 in penalties issued to Rasim Xhelli for illegal use recorded at 19 Keating Street. Inspector cited the respondent after finding the building at the location occupied without a Certificate of Occupancy.
- A hearing has been scheduled with OATH for illegal use recorded at 14-28 Pinson Street. The premises are being used for auto repairs and dead storage.



- A hearing has been scheduled with OATH for illegal use recorded at 402-406 Slater Boulevard where the premises are being used for buildings materials and junk storage.



Construction and Design Professionals

- Following an audit of eight professionally certified applications submitted by Professional Engineer Leonid Y. Kuzmin, SET found major code non-compliances. These included filing Alteration Type 2 applications when proposing a 110% increase in the floor surface area of an existing building, which requires Alteration Type 1 applications for a new or

amended Certificate of Occupancy; proposing an enlargement of a frame dwelling in the Fire district; proposing an enlargement that increases the degree of zoning non-compliance in an existing non-complying building; proposing an enlargement that exceeds the maximum allowable zoning floor area; and various other violations of code and rules, including the Multiple Dwelling Law, Zoning Resolution, Building Code, and Administrative Code. Based on these audits, the respondent voluntarily surrendered their Professional Certification and Directive 14 privileges.

- Master Fire Suppression Contractor Alessandro Demarinis was disciplined for making a false/misleading statement on a form filed with DOB. Pursuant to a stipulation, the Respondent agreed to have his Master Fire Suppression License suspended for a period of six months.
- Superintendent of Construction and Professional Engineer Ashwani Khanna was issued a warning letter after sending rude and unprofessional emails to a DOB engineer. The licensee was warned to abide by the requirements of the Industry Code of Conduct. The warning letter was sent to the licensee via email on December 13, 2022.