

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from October 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 October 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 October, including:

- 18 violations and \$195,000 in penalties issued for failure to safeguard construction sites on 18 separate occasions.
- 47 violations and \$963,375 in penalties, including daily penalties, issued for illegal building alterations at 7 locations.
- 5 violations and \$50,000 in penalties issued to 5 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for October 2022:

Bronx

- \$423,750 in total penalties issued to Dacosta Fasciglione for violations recorded at 1769 Undercliff Avenue. The site is a legal one-family house which was illegally converted into a nine-family residence. Inspectors observed single room occupancies throughout cellar and attic.
- \$104,000 in total penalties issued to NYSandy3 NBP8 LLC for violations recorded at 3010 Valentine Avenue. Building contains a legal one-family apartment which owner illegally altered to add three apartments in the cellar. Inspectors cited owner for work done without a permit and safety violations.

- \$96,250 in total penalties imposed on Bamms Realty III LLC for violations recorded at 921 East 149th Street. On two different inspection dates, inspectors issued 18 violations for having a double-faced arterial monopole sign without permits or the required UL decals, and with excessive height and surface areas.



- \$18,375 in total penalties issued to Safety Registrant JCM Pro Builders LLC for violations recorded at 744 east 175th Street. During a demolition at the site, inspectors issued violations for a failure to provide shoring design plans for the basement, as well as for having no documents on site, no overhead or window protection for an adjoining property, and no shed.
- \$10,000 in penalties issued to Tracking Number Holder Manhattan D Enterprises for a violation recorded at 2770 Matthews Avenue. Inspectors issued the violation for failure to safeguard a high voltage electrical wiring hanging off of a telephone poll. This was observed to be in danger off touching the metal debris netting and shed.

Brooklyn

- \$50,000 in total penalties issued to 465 Hamilton Avenue LLC for violations recorded at 465 Hamilton Ave. Inspectors issued five violations to the company for displaying an unregistered Mercedes advertising sign that was within view of an arterial. Sign was erected without a permit or licensed sign hanger and owner failed to register it as an OAC.



- \$30,000 in total penalties imposed on Rockne Street LLC for violations issued at 1143 East 42nd Street. The company was fined for displaying an advertising sign without a permit and in a prohibited zone, and for failing to register sign as an OAC.



- \$25,000 in penalties issued to Safety Registrant Yellow Hat Construction for a violation recorded at 13 Harrison Street. Inspectors issued the violation for failure to safeguard an adjoining building with overhead protection.
- \$11,250 in total penalties issued to Safety Registrant Yellow Hat Construction for a violation recorded at 13 Harrison Street. Inspectors cited Safety Registrant for failure to safeguard and failure to comply after they observed bricks from a new seven-story construction site falling on an adjoining roof top.
- \$5,000 in penalties issued to Forest City Jay Street Association for a violation recorded at 1 MetroTech Center, a public plaza. Inspectors issued a zoning violation for privately owned public space conditions for the site's lack of a drinking fountain.

Manhattan

- \$35,000 in penalties issued to 322 East 57th Street, Inc., for a violation recorded at 322 East 57th Street. Inspectors cited the respondent for a failure to provide safety measures for a façade. Respondent had previously filed an Unsafe report, and this violation marked their second offense.
- \$25,000 in penalties issued to 234 Properties LLC c/o the Wei for a violation recorded at 234 East 4th Street. Inspectors cited the respondent for a failure to provide safety measures for a façade. Respondent had previously filed an Unsafe report, and this violation marked their second offense.
- \$12,500 in total penalties issued to Candid Construction, Inc. for violations recorded at 2005 3rd Avenue. At a demolition site, the General Contractor failed to follow proper sequence of demo and to provide orientation, and also for erecting an unsafe supported scaffold.
- \$12,500 in penalties issued to Heights 660 LLC for a violation recorded at 660 West 178th Street. Inspectors issued a violation for illegal occupancy where they discovered a storage area was being used as sleeping quarters. DOB was called for an inspection after the building superintendent's son perished in a fire
- \$10,000 in penalties issued to KSK Construction for violations recorded at 212 East 125th Street. Inspectors issued violations to the General Contractor for failure to safeguard site after a worker was hit by a beam being moved by a crane. Additionally, inspectors observed that the site lacked a lift director and tag line, and that the workers' pre-shift meeting did not address these dangers.
- \$5,000 in penalties issued to John Hancock Insurance, Co. for a violation recorded at 100 William Street. Inspectors issued a zoning violation for lack of benches or seating which are required for a privately owned public plaza.
- Primavera Properties LP removed an outdoor sign structure at 327 Audubon Avenue prior to first hearing date. Non-conforming sign use had been discontinued at the location for more than two years.



Queens

- \$96,250 in total penalties issued to Haiyan Wang for violations recorded at 67-22 170 Street. The building is a legal one-family house which Wang illegally altered by adding six single room occupancies. Inspectors observed no proper egress at the location, and no fire alarms.
- \$80,000 in total penalties issued to Kavita Singh for violations recorded at 109-23 122 Street. The structure is a legal two-family house which Singh illegally altered into a seven-family house by adding additional apartments in cellar and first floor, and single room occupancies on the second floor.
- \$63,750 in total penalties issued to Cong Cong Hu for violations recorded at 185-16 56 Avenue. The building is a legal one-family house to which Hu illegally added four single room occupancies added in cellar. Inspectors observed no proper egress, and work completed without a permit.
- \$51,250 in total penalties issued to Sajal Das for violations recorded at 43-31 44th Street. The building is a legal two-family house to which Das added three single room occupancies which inspectors observed having door locks and room numbers. Additionally, the house did not have a sprinkler system, fire alarms, or proper egress.

- Vanna Beepat removed an illegal sign at 134-01 Linden Blvd after a total of \$50,000 in default penalties were imposed.



- \$25,000 in total penalties issued to tracking number holder East Enders NYC, Inc, for violations recorded at 223-02 131st Avenue. Inspectors cited the company for lack of shoring or supports for an excavation pit greater than five feet deep, as well as for having no protection for adjoining roofs at the structure's second floor, lack of permit for gas operated heater, and having no Construction Superintendent.
- \$12,500 total penalties imposed on Ciampa S2 LLC for violations recorded at 41-18 Crescent Street. Inspectors issued five violations for a sign that was erected without a permit or a licensed sign hanger. Sign also lacked required UL decal and was had excessive height and surface area.



- \$10,000 in penalties issued to Steel Tone Construction for a violation recorded at 11-32 31st Avenue. Inspectors cited the General Contractor for failure to safeguard the site after observing extensive damage to neighboring building caused by the work being performed. Additionally, inspectors observed interior and exterior cracks.
- \$10,000 in penalties issued to Tracking Number Holder Lawrence Exterior Restoration for a violation recorded at 82-24 135th Street. Inspectors cited the Tracker Number holder for failure to safeguard the site, where they observed a fire escape that was being obstructed by a sidewalk shed.
- \$10,000 in penalties issued to Safety Registrant PBBrown NYC LLC for a violation recorded at 59-20 Borden Avenue. Inspectors cited the Safety Registrant for failure to safeguard the site, where they observed a construction fence had fallen over onto a pedestrian walkway.
- A garage was padlocked at 321 Bert Road where the premises is being used for dead and junk storage of motor vehicles and boats. Prior to a hearing scheduled with OATH, DOB entered a stipulation that gave the owner and occupant time to discontinue the illegal uses of the property. A subsequent inspection revealed that the illegal use was not discontinued as was agreed upon, after which DOB officials installed a padlock on the garage.



- An order of closure was posted on the premises of 76-07 Blake Avenue which is being used for illegal commercial vehicle storage. In 2008 the lot was padlocked for this reason, and a recent complaint alerted DOB that the illegal use had resumed. The premises will be padlocked again if the illegal use is not discontinued.



- An Order of Closure has been issued at 100 Beach 25th Street where the premises are being used as a contractor's yard for building material and junk storage. An OATH hearing resulted in a favorable Report & Recommendation, and an Order of Clouse will be posted at the premises.



Staten Island

- An Order of Closure was posted at the premises of 314 Fingerboard Road. This followed a default hearing conducted with OATH that resulted in a favorable Report & Recommendation. The premises will be monitored for compliance as there is no gate to padlock.



Construction and Design Professionals

- Following an audit by the Department's Special Enforcement Team (SET) of seven professionally certified applications by Professional Engineer Igor Lisovenko, SET found major code non-compliances. These included misfiling Alteration Type 2 applications despite proposing changes in use, egress, and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; proposing an unpermitted obstruction in required yard(s), contrary to the Zoning Resolution; 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, Zoning Resolution, Building Code, and Administrative Code. The engineer agreed to surrender of Professional Certification and Directive 14 privileges.
- Master Rigger Barry Lichtenstein was disciplined for allowing a worker not on the rigging company's payroll to perform rigging work under his direct supervision. Lichtenstein agreed to pay a \$5,000.00 fine, serve a probationary period of 1 year, and to come in compliance with the payroll requirements of the Administrative Code within 60 days of the effective date of the stipulation