

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

### ***Report Highlights DOB Enforcement Outcomes from February 2023 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 February 2023, 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 February, including:

- 19 violations and \$280,000 in penalties issued for failure to safeguard construction sites on 18 separate occasions.
- 18 violations and \$457,375 in penalties, including daily penalties, issued for illegal building alterations at 3 locations.
- 5 violations and \$40,000 in penalties issued to 4 different individuals for failure to carry out duties of construction superintendents.
- 8 violations and \$94,875 in penalties, including daily penalties, issued for illegal transient use at 2 locations.

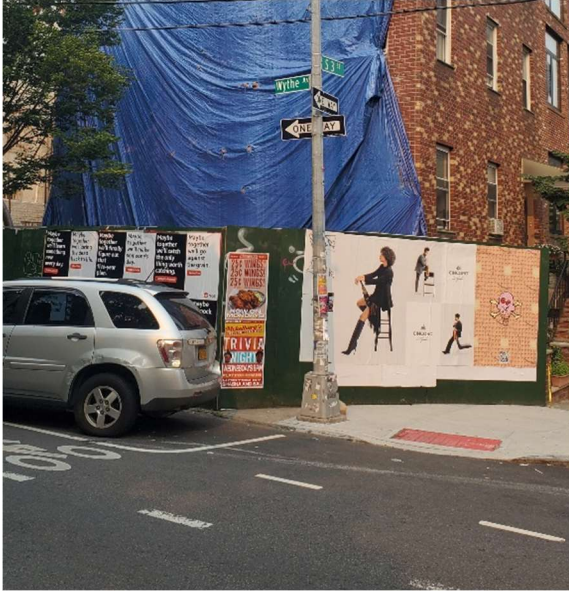
Below are individual enforcement highlights for February 2023:

### **Bronx**

- \$181,625 in total penalties issued to Grant Ave Bronx Realty Corp for violations recorded at 1052 Grant Avenue. DOB Inspectors issued violations with daily penalties for illegal conversion after they observed three Single Residency Occupancies added to the premises, and noted included illegal hardware on doors, obstructed egress, as well as other safety violations.

## Brooklyn

- \$207,500 in total penalties issued to Shen Xian Wang for violations recorded at 2310 East 15<sup>th</sup> Street. DOB Inspectors issued violations with daily penalties for illegal alterations after observing five additional units added to a multiple dwelling.
- \$30,000 in total penalties issued to Bedford Gardens Company for violations recorded at 80, 84, and 90 Ross Street. DOB inspectors issued violations for defective facade conditions and for having no safety measures in place after filing an unsafe local law report at three adjacent locations.
- \$25,000 in penalties issued to JDS Construction Group for violations recorded at 9 DeKalb Avenue. DOB inspectors issued violations to the General Contractor for failure to safeguard after ice fell onto the street from the 60th floor and above at an active jobsite, causing street closure. Ice was on a crane mast and unenclosed facades.
- \$25,000 in penalties issued to New Line Structure and Dev for violations issued to 85 Jay Street. DOB Inspectors issued violations for failure to safeguard for not taking all required safety measures including allowing window cleaning to be performed in a Controlled Access Zone at active job site, where a worker fatally fell from 20th floor to 2nd floor landing.
- \$20,000 in penalties issued to Empire Management & Con for violations recorded at 375 Dean Street. DOB Inspectors issued violations to the General Contractor for failure to safeguard after observing scaffold not tied down and no netting. Additionally, there was no FDNY diesel fuel transfer certificate and diesel fuel spilled onto the roadway.
- \$10,000 in penalties issued to Empire Group NYC LLC for violations recorded at 162 Moffat Street. DOB inspectors issued violations for failure to safeguard after an adjacent building's party wall was damaged due to joist installation that allowed rainwater to seep into the property.
- \$2,500 in penalties imposed on Rafael Echevarria for violations recorded at 62 South 3<sup>rd</sup> Street where the respondent posted signs on a construction fence.



## Manhattan

- \$38,625 in total penalties issued to Apex East Management LLC for violations recorded at 344 East 51<sup>st</sup> Street. DOB inspectors issued violations with daily penalties for illegal transient use after finding three apartments at the location converted to transient use.
- \$20,000 in total penalties issued to Nova Construction Service for violations recorded at 310 West End Ave. DOB inspectors issued violations for failure to safeguard and failure to report an incident, where an incompletely secured scaffold came loose at the 16th floor, hitting and shattering a 2nd floor window of a neighboring property.
- \$16,250 in total penalties issued to KSK Construction Group for violations recorded at 212 East 125th Street. Inspectors issued violations to the General Contractor for failure to safeguard following a worker fall from a ladder where there was unsecured netting and no overhead protection. In addition, there was no evidence of a pre-shift meeting on day of the fall.
- \$12,500 in total penalties issued to Alba Services Inc. for violations recorded at 2 West 47<sup>th</sup> Street. DOB inspectors issued violations for failure to safeguard, after a brick fell from construction site fell to the street below, striking the windshield of a vehicle. Additionally, inspectors noted no hydrostatic test of the standpipe.
- \$12,500 in penalties issued to Hunter Roberts Construction for violations recorded at 111 Wall Street. DOB inspectors issued violations for failure to follow manufacturer's instructions, after a worker using a Skilsaw was holding the saw and wood without support or a workstation, resulting in almost slicing off three of his fingers.
- \$10,000 in penalties issued to Highrise Safety Systems for violations recorded at 241 West 43<sup>rd</sup> Street. DOB inspectors issued violations for failure to institute safety measures, following an incident where a worker caught fire when a

chipping gun punctured an aerosol can containing flammable liquid while they were chopping a form box.

- \$10,000 in penalties issued to T-C 475 Fifth Avenue LLC for violations recorded at 475 5th Avenue. DOB inspectors issued violations for defective facade conditions, for no safety measures in place after an unsafe Local Law report was filed.
- \$6,240 in penalties issued to 2005-2009 3rd Ave QOZ LLC for violations recorded at 2011 3rd Ave. DOB inspectors issued violations for failure to maintain building after bricks fell from façade in a state of disrepair onto a neighboring parking area.
- \$5,000 in penalties issued to 123 Washington LLC for a violation recorded at 123 Washington Street. DOB inspectors observed a privately owned public plaza space used as an open-air café after City Planning authorization had expired.
- \$5,000 in penalties imposed on 139 East 57<sup>th</sup> Street LLC and New Tradition Outdoor LLC for violations recorded at 139 East 57<sup>th</sup> Street. DOB issued violations for displaying an accessory sign without the required UL decal and for failing to use a licensed sign hanger to attach or erect the sign.



## Queens

- \$15,625 in total penalties issued to AB Capstone Builders Corp. for violations recorded at 3-50 St. Nicholas Ave. Inspectors issued penalties for failure to safeguard due to excessive debris following a worker injury. Inspectors also observed Yodocks filled with garbage (not water), lack of overhead protection and no standpipe in readiness.
- \$13,500 in total penalties issued to A & R Home Improvement for violations recorded at 78-40 270<sup>th</sup> Street. DOB inspectors issued violations to the General

Contractor for lack of guardrails at an excavation site, as well as unsafe housekeeping, a narrow pedestrian walkway, and an inadequate job site fence. Additionally, a lack of shoring caused the collapse of a neighbor's fence.

- \$10,000 in penalties issued to CIP Services LLC for violations recorded at 3-50 St. Nicholas Avenue. DOB inspectors issued violations for failure to safeguard following a fatal worker fall of 17-feet from 1<sup>st</sup> floor to the basement level. Inspectors observed inadequate fall protection and platform, as well as inadequate supervision.
- \$10,000 in penalties issued to Spring Scaffolding LLC for violations recorded at 3-50 St. Nicholas Avenue. Inspectors issued violations for failure to safeguard after a worker was injured unloading scaffolding material in the rain.
- \$10,000 in penalties issued to Jaxboro Corp. for violations recorded at 34-41 85<sup>th</sup> Street. DOB inspectors issued violations for unsafe conditions after observing balconies with incomplete protection, and no shed at the south corner of the property to protect public.
- \$2,500 in mitigated penalties imposed on 109-59 Lefferts Blvd Realty Corp for a violation recorded at 109-59 Lefferts Boulevard. Inspectors issued violations for displaying an outdoor sign without a permit, without the required UL decal, in a prohibited zone, and for failing to register.



- A default OATH trial was held for the owner of 14-28 Pinson Street after the owner was found to be using the premises for auto repairs and dead storage. A Report and Recommendation should be issued soon.



## Staten Island

### Construction and Design Professionals

- Following the audit of seven professionally certified applications submitted by Professional Engineer George Cambourakis, DOB's Special Enforcement Team (SET) found major code non-compliances, including filing 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; failure to indicate a property is located in an Area of Special Flood Hazard; failure to provide adequate structural and/or foundation plans; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.
- Following the audit of eight professionally certified applications submitted by Professional Engineer Olulade Ademokun, DOB's Special Enforcement Team (SET) found major code non-compliances, including filing 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 zoning uses not permitted as-of-right; failure to provide adequate fire separation; failure to provide adequate accessibility for persons with physical disabilities; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.

- Master Plumber Carlos O'Sullivan was disciplined for performing gas work without a permit. Following an OATH Trial and Report & Recommendation, his license was suspended 90 days and he was ordered to pay a \$10,000 fine.
- General Contractor Chin Lin Chiang was disciplined for being found in violation of a high number of Class 1 summonses over a two-year period, for failing to timely correct violations, and for failing to pay outstanding fines. Respondent agreed to voluntarily surrender his license.
- Construction Superintendent James Mullen was issued a warning letter following an allegation of unprofessional interaction with a Department inspector. Respondent was reminded to conduct himself professionally when interacting with the Department.
- Construction Superintendent John Sadowski was issued a warning letter after engaging in a pattern of failure to perform the duties of a Construction Superintendent.