

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

New York, NY – Today, the New York City Department of Buildings released its March 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 March, including:

- 22 violations and \$766,300 in penalties, including daily penalties, issued for illegal building alterations at four separate locations.
- 1 violation and \$6,000 in penalties, including daily penalties, issued for illegal transient use of buildings at one location.
- 31 violations and \$355,000 in penalties issued for failure to safeguard construction sites on 29 separate occasions.
- 10 violations and \$100,000 in penalties issued to 10 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for March 2020:

Bronx

- \$15,000 in penalties issued to General Contractor The Sweet Construction Group for multiple violations at a construction site at 2568 Park Avenue, Bronx. It was determined that the contractor failed to safeguard the construction site, that a supported scaffold was improperly installed too far away from the face of the building, and that that required guard rails and planking were missing.

Brooklyn

- \$15,000 in penalties issued to Safety Registrant Brooklyn B Company Group for multiple violating conditions at a construction site at 68 Maujer Street, Brooklyn. It was determined that excavation operations had commenced without a permit, that there was no notice of excavation work made prior to commencing operations, there were no approved plans on site, and that there was no approved tenant protection plan for this work.
- \$5,000 in penalties issued to Lancaster Cleveland for illegally operating an articulating boom crane to perform construction work without a Hoist Machine Operator (HMO) license at a construction site at 344 Willoughby Avenue, Brooklyn. Boom cranes can be used to make deliveries without an HMO license. However, Mr. Cleveland was using the boom crane to erect steel at the site, which does require an HMO license.
- \$4,000 in penalties issued to General Contractor East Coast NY Construction related to violations of the NYC Energy Conservation Code at a construction site at 101 Patchen Avenue, Brooklyn. It was determined that insulation placement at the site did not meet minimum requirements under the Energy Code.
- \$2,500 in penalties issued to General Contractor Rize Construction LLC after our inspectors were refused entry on to a construction site at 151 Etna Street, Brooklyn. At the time of our inspection, two workers were observed on site. When our inspectors attempted to get access to the site, the workers turned off the lights, and ran from our inspectors. DOB was able to inspect the site at a later date.
- \$2,500 in penalties issued to Safety Registrant I & G Group for working on the weekend to erect a supported scaffold at 595 Smith Street, Brooklyn, without the required After Hours Variance (AHV) permit. AHV permits are required to perform construction work after normal business hours on nights and weekends.
- The owner of 808 Glenmore Avenue, Brooklyn, was cited for using the property for illegal commercial vehicle storage and a contractor's yard. After a default hearing, an Order of Closure was issued by the Department. DOB inspectors have since padlocked the property, which will be monitored for compliance.



Manhattan

- \$10,000 in penalties issued to 600 W 144th St. LLC, the owner of 600 West 144 Street, Manhattan, for failure to implement pedestrian protection measures after becoming aware of documented unsafe facade conditions in a Façade Inspection Safety Program (FISP) technical report. The owners of the building subsequently put up a sidewalk shed in front of the building after DOB enforcement actions were taken.
- \$2,500 in penalties issued to LIAT Realty Management Corp., the owner of 221 East 116th Street, Manhattan, for failure to post or distribute a Tenant Protection Plans (TPP) related to ongoing construction work in the occupied residential building. Follow the enforcement actions taken by the Department, the owners properly posted the required Tenant Protection Plan (TPP) in the lobby of the building.
- The owner of 425 Edgecombe Avenue, Manhattan, was cited for using the small parking lot as an illegal car wash business. Prior to a scheduled hearing at OATH, a stipulation was entered into with the owner, and the illegal use was discontinued. DOB inspectors will monitor the property for continued compliance.



Queens

- \$51,875 in total penalties issued to Andrej Mochnoc, the owner of 85-30 101 Street, Queens, for the illegal conversion of a legal two-family home into a four-dwelling home by arranging the cellar as a habitable space. The owner was also issued violations for failure to properly maintain the property.
- \$28,750 in penalties issued to Safety Registrant R&S Construction of NY for multiple violating conditions at a construction site at 109-17 Long Island Expressway, Queens. It was determined that the registrant failed to erect and maintain a scaffold on site in a safe manner, they failed to have a designated Construction Superintendent on site, work was ongoing at the site with an expired permit, and they failed to provide adequate pedestrian protection.
- \$28,125 in penalties issued to General Contractor Gravity Construction US 1 for multiple violating conditions at a construction site at 455 Onderdonk Avenue, Queens. It was determined that work was ongoing at the site while the contractor's registration had expired, there were no site safety plans on site, there was no record that site safety orientations were being provided to the workers, that overhead protection was missing from the site, the roof protection at the site was inadequate, failure to provide safeguards for holes in a sidewalk shed roof, and failure to protect electric lines at the site.
- \$25,000 in penalties issued to General Contractor A2Z Construction Group for multiple violating conditions at a construction site at 57-41 Granger Street, Queens. It was determined that the work site was missing overhead protection at several areas, concrete pouring operations were improperly obstructing the sidewalk, there was no record of required formwork inspections, there was no record that site safety orientations were being provided to the workers, the construction fence was not

properly maintained, and there were inadequate protections in place for a neighboring property.

- \$17,812 in penalties issued to General Contractor SFFTS Inc. for multiple violating conditions at a construction site at 22-21 33rd Street, Queens. It was determined that there was no competent person designated for the site, the approved plans were not on site, there was no site safety log book on site, and the site was missing required signage related to site safety.
- \$10,000 in penalties issued to Erection and Welding Contractors for violating conditions related to a crane at a construction site at 34-49 107 Street, Queens. It was determined that the crane was in use, without a required Lift Director on site.
- The owner of 148-49 87th Road, Queens, was cited for using the property for illegal dead vehicle storage. DOB issued a warning letter to the owner, ordering them to immediately discontinue the illegal use of the property. The illegal use was subsequently discontinued prior to an OATH hearing. DOB will monitor the property for continued compliance.

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Staten Island

- The owner of 154 Elvin Street, Staten Island, was cited for using the property for illegal dead vehicle storage, junk storage, and a contractor's yard. After a default hearing, an Order of Closure was issued by the Department. DOB inspectors have since padlocked the property, which will be monitored for compliance.



Construction and Design Professionals

- Following an audit of four professionally certified applications submitted by Professional Engineer Irving Kuznitz, the Department found major code non-compliance issues, including improperly proposing changes in use, egress and/or occupancy that would require Alteration Type 1 applications for a new or amended Certificate of Occupancy, under Alteration Type 2 applications, inadequate egress issues, multiple violations of Zoning bulk regulations, inadequate fire separation, and various other violations of code and rules. Mr. Kuznitz agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective March 1, 2020.
- Following an audit of five professionally certified applications submitted by Registered Architect Edward Dickman, the Department found major code non-compliance issues, including improperly proposing changes in use, egress and/or occupancy that would require Alteration Type 1 applications for a new or amended Certificate of Occupancy, under Alteration Type 2 applications, inadequate egress issues, inadequate sprinklers, inadequate accessibility for persons with disabilities, and various other violations of code and rules. Mr. Dickman agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective March 31, 2020.
- The Department of Buildings has revoked the registration of General Contractor Dawny Martinez on March 20, 2020, pursuant to an Order by the Commissioner. This order was preceded by a Report and Recommendation from the Office of Administrative Trials and Hearings (OATH) recommending the revocation of the respondent's General Contractor registration.
- The Department of Buildings has revoked the four licenses and registrations associated with Valentino Buono on March 9, 2020, pursuant to an Order by the

Commissioner. This order was preceded by a Report and Recommendation from the Office of Administrative Trials and Hearings (OATH) recommending the revocation of the respondent's General Contractor registration, Master Plumber license, Master Fire Suppression Contractor license, and Construction Superintendent's registration.

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