

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

- 32 violations and \$539,625 in penalties, including daily penalties, issued for illegal building alterations at 5 locations.
- 31 violations and \$340,000 in penalties issued for failure to safeguard construction sites on 30 separate occasions.
- 9 violations and \$36,000 in penalties, including daily penalties, issued for illegal transient use at 2 locations.
- 8 violations and \$80,000 in penalties issued to 8 different individuals for the failure to carry out the duties of a construction superintendent.

Below are individual enforcement highlights for May 2022:

Bronx

- \$10,000 in total penalties issued to Zannatul Firdoushi for multiple violations found at 442 St. Lawrence Ave. Issued after inspectors observed two gas stoves and a three-piece bathroom installed in the building’s cellar without permits, tests or approvals.
- \$2,500 in penalties issued to Markland 140 LLC for having an arterial outdoor structure with sign use discontinued for more than two years at 799 East 140th Street.



Brooklyn

- \$32,500 in total penalties issued to General Contractor Stellar Industries Inc. for failure to ensure workers received site safety orientation and pre-shift safety meeting, having no site safety plan, no sidewalk shed, inadequate overhead protection for neighboring properties, and inadequate housekeeping, all for a construction site at 868 Carroll St.
- \$20,000 in total penalties issued to General Contractor Vera Carting Corp. for failure to provide a sidewalk shed at 116 15th Street and for providing no overhead protection for adjacent properties. Issued after inspectors observed that the sidewalk shed at the site had been removed.
- \$17,250 in total penalties issued to Safety Registrant AR Developers Inc. for failure to maintain, inadequate housekeeping and failure to file tenant protection plan at 702 Grand St. Issued after inspectors observed a shaft way being built to dump debris from the fourth to second floor while the second floor was occupied and for the removal of firestopping.
- \$13,250 in total penalties issued to Safety Registrant WJP Builders Corp for violations recorded at 1150 58th St. Issued after inspectors documented a 6-foot deep, 6-foot wide and 16-foot-long excavation with no support inside, no guardrails outside and inadequate housekeeping at the site.

- \$12,500 in total penalties issued to Safety Registrant Betterbuilt Buildings Inc. for not having a sidewalk shed where required at 540 Driggs Ave. Issued after inspectors observed work on the building's exterior with incomplete coping stones and unsafe scaffolding not documented on building plans.
- \$10,000 in total penalties issued to General Contractor 565 Midwood St. for failure to provide protection of existing utilities at 565 Midwood St. Issued after construction work at the site penetrated the gas line of a neighboring property.
- \$10,000 in penalties issued to Safety Registrant Urban Atelier Group LLC for failure to institute safety measures at 60 Front Street. Issued after inspectors documented an incident where a worker slipped and fell while using an extension ladder instead of a manlift. Inspectors further observed that the ladder was not inspected and was missing extensions and footings.
- \$10,000 penalty issued to General Contractor CDF Custom Building Inc. for failure to safeguard the public at 1437 52nd Street. Issued after inspectors documented an incident where façade work caused sparks to fall onto an adjacent building's balcony.

Manhattan

- \$12,500 in total penalties issued to 104 W Realty LLC for violations observed at 104 Terrace View Avenue. Issued for failure to maintain the site and for not having a sidewalk shed at the 6-story occupied building despite having a parapet clamp and cracks in various areas.
- \$10,000 in penalties issued to Safety Registrant Hudson Yards Const II LLC for failure to institute safety measures at a work site at 415 10th Avenue. Issued after a worker was burned on both arms when disconnecting a live wire from a temporary power switch gear station in a sub cellar. Inspectors documented that inadequate supervision was taken when the main power was not disconnected prior to the incident.
- \$10,000 penalty issued to 255 West 88 St Co LLC for having a façade technical report filed as "unsafe" with no safety measures in place for a property at 255 West 88th St.
- \$2,500 in penalties issued to Service Sign Erectors Co. for having an arterial outdoor structure with sign use discontinued for more than two years at 126 East 131st Street.



Queens

- \$35,500 in total penalties issued to Adrian Torres for a class 1 illegal alteration with daily penalties and work without a permit documented at 37-38 78th Street. Issued after inspectors observed a legal 2-family structure that was converted to an illegal four family, featuring two apartments with gas stoves and three-piece baths created in a cellar.
- \$25,000 in total penalties issued to Tracking Number Holder Midre Contracting Corp. for failure to have worker's comp, failure to have disability insurance, possessing an expired permit, and failure to safeguard a site at 45-18 Court Square where a worker fatally fell from the structure's 6th to 2nd floor. Issued after inspectors observed an open shaft with no safety measures in place including no guard rails, no locks on door, and no controlled access zone at the site.
- \$25,000 in penalties issued to 3661 Realty LLC for failure to safeguard a site at 87-37 Palermo St. Issued after inspectors observed that large sections of construction fence at the site were completely down, leaving the site open and unguarded.

- \$16,800 in total penalties issued to Deutsche Bank National Trust for failure to comply with a Vacate Order at 57-20 Penrod Street. The buildings cellar was vacated on August 11th, 2015, however inspectors observed it occupied on two separate occasions.
- \$13,750 in total penalties issued to Safety Registrant Superb Construction Mgt. for failure to comply with a Commissioner’s order to have a safety compliance officer on site at 71-60 170th St. and for failure to file reports. Issued after inspectors documented no record of site safety orientation, no drawings on site, and supported scaffold that was not code complaint, including having loose safety netting and not being fully planked.

Staten Island

- \$30,000 in total penalties imposed on Abdelhamid M Abourya for illegally placing an outdoor advertising sign at 35 Starlight Road, Staten Island, in a residential area where advertising signs are prohibited. The sign was installed without the required permits, and without proper registration. It has since been removed.



- \$20,000 in total penalties issued to Tristate Crane LLC for using a knuckle boom delivery truck to install equipment inside of a construction site at 18B Sneden Avenue, Staten Island. The knuckle boom crane was being used without a certificate of on-site inspection, and without a certificate of operation, both required to use the delivery vehicle for construction operations.
- The owners at 92 Alaska Street, Staten Island, were cited for illegally using the premises for auto repair and dead vehicle storage. Following the issuance of a warning letter from DOB’s Padlocks Unit sent to the owner, the illegal use was discontinued. The property will be monitored for continued compliance.



Construction and Design Professionals

- Master Electrician Matthew Detore was disciplined for having a worker not on payroll. Detore agreed to pay a \$3,000 fine and for their Master Electrician license to be placed on probation for six months. The Stipulation was fully executed on May 12, 2022.
- Construction Superintendent Quentin E. Nwafor was disciplined for pre-signing construction superintendent logs at one site; failing to properly maintain the construction superintendent logbooks at one site; failing to properly designate a competent person at one work site; and failing to perform a daily inspection at one worksite. Pursuant to a stipulation executed on May 12, the respondent agreed to pay a \$10,000 fine and for their Construction Superintendent license to be placed on probation for two years.
- Following the audit of six professionally certified applications submitted by Registered Architect Daniel O'Connor, the 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 provide adequate means of egress; failure to provide an automatic sprinkler system and a Type 1 hood for commercial cooking equipment; proposing a zoning use not permitted as-of-right in a Residential Zoning District; 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 fourteen professionally certified sidewalk shed applications submitted by P.E. Rafi Hamid, SET in conjunction with Construction Safety Engineering found major code non-compliances, including insufficient structural design and failure to provide adequate details. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.
- Following the audit of four professionally certified applications submitted by Registered Architect Doyun Kim, 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 provide adequate means of egress; failure to provide adequate light & ventilation for habitable spaces; 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.

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