

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

### ***Report Highlights DOB Enforcement Outcomes from April 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 April 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 April, including:

- 12 violations and \$120,000 in penalties issued for failure to safeguard construction sites on 12 separate occasions.
- 14 violations and \$204,250 in penalties, including daily penalties, issued for illegal building alterations at 2 locations.
- 1 violation and \$10,000 in penalties issued to 1 individual for failure to carry out duties of a construction superintendent.
- 1 violation and \$6,000 in penalties, including daily penalties, issued for illegal transient use at 1 location.

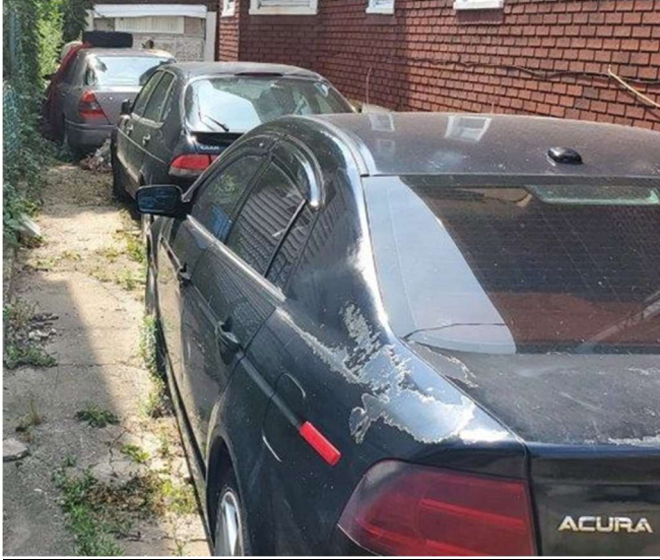
Below are individual enforcement highlights for April 2023:

### **Bronx**

- \$10,000 in penalties issued to Marcy Place Realty Corp. for violations recorded at 130 Marcy Place. DOB inspections issued violations for failure to repair the façade and failure to install safety measure following the filing of an Unsafe façade report.

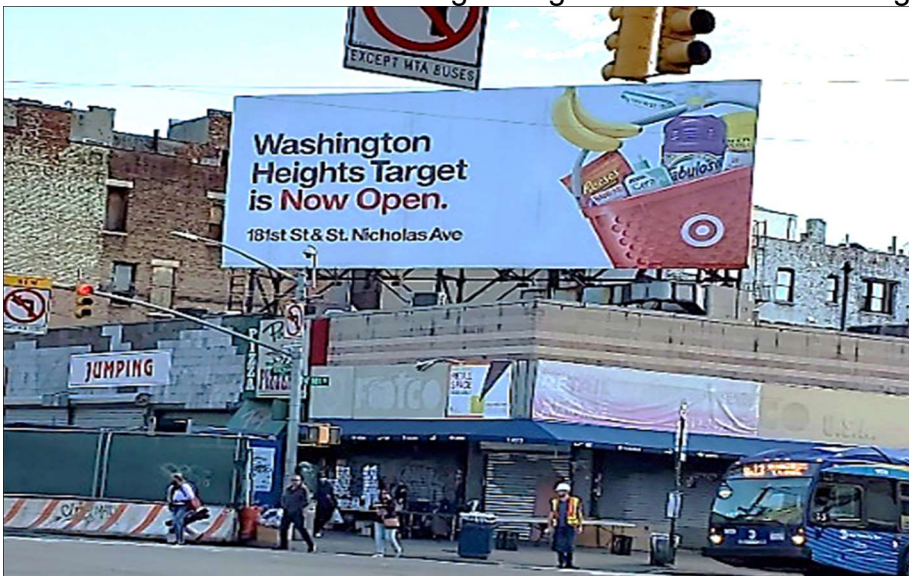
### **Brooklyn**

- \$50,000 in total penalties issued to Liu Xing Fang for violations recorded at 1717 Shore Parkway. DOB inspectors issued violations with daily penalties for illegal alterations after finding the legal two-family home converted into an illegal four-family, with dwellings added on the first floor and in the cellar.
- \$30,750 in total penalties issued to Sunrays Properties LLC for violations recorded at 236 47<sup>th</sup> Street. DOB inspectors issued violations for unsafe storage of propane, oxygen, and other gases, after observing it was stored blocking an exit door. Additionally, storage tank enclosures were altered with concrete masonry units, wood and a corrugated roof, and the work was done without a permit and deemed unsafe as built.
- \$25,000 in penalties issued to Persam White LLC for violations recorded at 31 Kosciuszko Street. DOB inspectors issued violations for failure to provide safety measures following an unsafe facade report filing. Inspector photos showed incomplete safety measures and one exposure unprotected, with cars parked below balconies.
- \$25,000 in penalties issued to 19<sup>th</sup> Avenue Properties LLC for violations recorded at 886 Dahill Road. DOB inspectors issued violations for failure to provide safety measures after an Unsafe facade report filing. A re-inspection noted no public protection measures were installed.
- \$16,250 in total penalties issued to Tower Owners Inc. for violations recorded at 1311 Brightwater Avenue. DOB inspectors issued violations for failure to maintain the building after finding defective balconies at multiple locations and floors of the 17-story building, as well as no protection for pedestrians.
- \$12,500 in total penalties issued to 225 Park Owners Corp for violations recorded at 225 Park Place. DOB inspectors issued violations after an unsafe façade report was filed that failed to include an exposure where unsafe façade conditions were found, and no safety measures were provided.
- \$10,000 in penalties issued to JKO USA Management Inc for violations recorded at 174 Meserole Street. DOB inspectors issued violations for failure to safeguard after interior demolition at the location caused a chimney to fall onto an adjacent property balcony and the street.
- \$10,000 in penalties issued to 197 Prospect Avenue LLC for violations recorded at 197 Prospect Avenue. DOB inspectors issued violations to the company for working without a tenant protection plan during extensive demolition and renovation work, removing flooring and fire protection at two apartments, endangering occupants of third floor.
- An OATH hearing was withdrawn for the owner of 1668 East 48<sup>th</sup> Street for illegal dead vehicle and junk storage. Prior to a hearing scheduled with OATH, the owner submitted proof that the illegal use was discontinued. The premises will be monitored for compliance.



## Manhattan

- \$40,000 in penalties imposed on 575-599 West 181 LLC for violations recorded at 1422 St. Nicholas Ave. DOB inspectors issued violations for displaying an outdoor advertising sign without a permit, in a prohibited zone, failure to register, and failure to have a licensed sign hanger attach or erect the sign.



- \$25,000 in penalties issued to Savannah Condo/Insignia Residential Group for violations recorded at 250 West 89<sup>th</sup> Street. DOB inspectors issued violations for failure to provide safety measures after an Unsafe facade report filing, observing that not all exposures were protected.
- \$22,500 in total penalties issued to Turner Construction Company for violations recorded at 476 5<sup>th</sup> Avenue. DOB inspectors issued violations for failure to safeguard, improper material handling, failure to report an accident, tampering

with accident evidence, and no on-site training for a task, after a worker was injured while removing stones from a crate.

- \$12,500 in total penalties issued to Mega Contracting GP LLC for violations recorded at 490 Broadway. DOB inspectors issued violations for failure to safeguard and work done not according to plans after observing workers installing metal windowsills at the 14th floor directly over other workers who were laying bricks on the 8th floor, resulting in a piece of a metal sill falling on the head of a worker below, breaking his hard hat and injuring his head.
- \$12,500 in penalties issued to Ruru Associates for violations recorded at 86 East 4<sup>th</sup> Street. DOB inspectors issued violations for failure to maintain an exterior wall after a piece of façade had fallen to the street.
- \$12,500 in penalties issued to Acquisition America IX for violations recorded at 664 West 163rd St. DOB inspectors issued violations for failure to maintain exterior walls at the 7-story building after observing degraded mortar joints and concrete at various locations. Inspectors noted that property has 48 open summonses, including 4 failures to maintain.
- \$10,000 in penalties issued to MNK Enterprises LLC for violations recorded at 200 West 118<sup>th</sup> Street. DOB inspectors issued violations for failure to safeguard after a large panel section of a sidewalk shed collapsed onto the street.

## Queens

- \$102,000 in total penalties issued to Franz A. Johnson, Jr. for violations recorded at 139-44 87<sup>th</sup> Ave. DOB inspectors issued violations with daily penalties for illegal alteration after finding the legal two-family altered by adding five Single Residence Occupancies with key locking devices on various floors.
- \$2,500 in mitigated penalties were imposed on Best Axel Realty LLC for violations recorded at 37-13 65<sup>th</sup> Street. DOB inspectors issued violations for displaying an outdoor advertising wall sign without a permit, in a prohibited zone, failing to have a licensed sign hanger attach or erect the sign, and failing to attach the required UL decal.



## Staten Island

- \$35,000 in penalties were imposed on Islamic Center of Staten Island LLC and Lamar Advertising of Penn LLC for violations recorded at 2542-2546 Arthur Kill Road. DOB inspectors issued violations for displaying an outdoor advertising sign without a permit.

## Construction and Design Professionals

- Following the audit of five professionally certified applications submitted by Registered Architect Jung-Hyuk Choi, 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 provide adequate means of egress; failure to provide an automatic fire suppression system for a commercial kitchen; failure to provide fire separation between commercial kitchen and adjoining spaces; 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, Housing Maintenance Code, 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 Architect signed.
- Following the audit of eight professionally certified applications submitted by Professional Engineer Joseph Badinter, 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 an alteration that does not comply with Zoning bulk and height



regulations; proposing a residential Zoning Use not permitted as-of-right in an M1-2 Zoning District; failure to provide a guardrail system for an excavation deeper than six feet; failure to provide adequate means of egress; 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 Engineer signed.

- Special Rigger Balbir Chand had his license revoked after an OATH trial at which the Administrative Law Judge found the Respondent had submitted a C-Hook notification for work done by non-employees for a site at which a worker was fatally struck by falling rigging equipment, and also submitted documentation for non-employees to be certified as rigging foremen.
- Special Rigger, General Contractor, and Construction Super Masood Bhutta was disciplined for designating individuals who were not on his company's payroll as rigging foremen on multiple forms that were filed with the Department and for not being properly established. Pursuant to the Stipulation, Respondent agreed to a \$5,000.00 fine and one year of probation, and to come into compliance with the payroll and establishment requirements of the Administrative Code within 60 days of the effective date of the stipulation
- Registered Architect John Bedard was issued a warning letter after engaging in rude and unprofessional behavior with a Department plan examiner. The Architect was warned to abide by the requirements of the Industry Code of Conduct.