

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

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

- 19 violations and \$220,000 in penalties issued for failure to safeguard construction sites on 19 separate occasions.
- 24 violations and \$397,561 in penalties, including daily penalties, issued for illegal building alterations at 3 locations.
- 2 violations and \$20,000 in penalties issued to 2 different individuals for failure to carry out duties of construction superintendents.
- 6 violations and \$40,500 in penalties, including daily penalties, issued for illegal transient use at 2 locations.

Below are individual enforcement highlights for March 2023:

### **Bronx**

- \$155,000 in total penalties issued to American Pen Corporation for violations recorded at 947 Courtland Avenue. DOB inspections issued violations for grading the premises before constructing a fence at a lot abutting a Metro North rail line. Inspectors issued vacate and stop work orders that were not followed.
- \$20,000 in total penalties issued to Universal Services Group for violations recorded at 1500 Unionport Road. DOB inspectors issued violations for failure to safeguard after 30 feet of roof masonry parapet collapsed onto the sidewalk.

Additionally, inspectors observed that there was no construction superintendent on site.

- \$12,500 in penalties issued to A.M.E.T.Z. Corp for violations recorded at 608 East Fordham Road. DOB inspectors issued violations for failure to maintain the site after observing the wall of the two-story building in danger of collapse, evidenced by cracks in the wall and bulging bricks.
- \$10,000 in penalties issued to Hyatt Interiors Inc. for violations recorded at 4701 Fieldston Road. DOB inspectors issued violations for failure to safeguard. Inspectors observed workers excavating a trench 20 feet long by 6 feet deep with no fence, and near a pedestrian sidewalk.

## Brooklyn

- \$50,250 in total penalties issued to Vargas Radhames for violations recorded at 57 Nicholas Avenue. DOB inspectors issued violations after finding the two-family house altered by the addition of four Single Residency Occupancies with keylocks and with corresponding advertisements on AirBnB. Additionally, inspectors issued safety summons for insufficient egress, and lack of sprinklers and fire alarm system.
- \$25,000 in penalties issued to NY Developers & Management for violations recorded at 2230 Cropsey Avenue. DOB inspectors issued violations to the General Contractor for failure to institute safety measures at the site of 30-story building, where during strap beam installation a beam was secured improperly, causing a worker to be pinned and injured by the beam.
- \$25,000 in penalties issued to Platinum Services NY LLC for violations recorded at 378 Weirfield Street. DOB inspectors issued violations for failure to safeguard, where a boom truck was illegally used to dismantle a sidewalk shed, and an inadequately secured I beam struck the scaffold, leading to a worker fall.
- \$25,000 in penalties issued to Ling Jum Kong for violations recorded at 823 44<sup>th</sup> Street. DOB inspectors issued violations for illegal occupancy and work without a permit after finding a cellar apartment in a legal four-family home. DOB was alerted to inspect the location after a fire at cellar stairs and hallway that was caused by an e-bike lithium battery in the illegal apartment.
- \$15,000 in total penalties issued to United Concrete LLC for violations recorded at 89 Seeley Street. DOB inspectors issued violations to the General Contractor after finding rebar not installed per plans and design, which caused an adjacent wall to crack, shift and possibly causing collapse. Additionally, observed site work was not as per plans, cracks in adjoining wall, and dislodgment of adjoining wall, with no engineer's letter regarding strength of the wall.
- \$5,000 in penalties issued to Galaxy Developers LLC for violations recorded at 69 Adams Street. DOB inspectors issued violations to the General Contractor for failure to safeguard, after debris from the construction site fell on adjacent property terraces at two exposures.
- An order of closure was posted at 1602 East 56<sup>th</sup> Street after the premises was found to be used for illegal auto repairs, dead vehicle and junk storage. A default

hearing was conducted at OATH, resulting in a favorable Report & Recommendation. An Order of Closure was issued, resulting in the discontinuance of the illegal use. The premises will be monitored for compliance.



## Manhattan

- \$200,000 in penalties imposed on the owner of 1130 1st Avenue for an illegal advertising sign. A recent inspection confirmed that the sign was removed.



- \$25,000 in penalties issued to River Arts Cooperative for violations recorded at 159-00 Riverside Drive West. DOB inspectors issued violations for failure to take safety measures after observing a lack of public protection despite an unsafe LL11 filing at the premises.

- \$15,000 in total penalties issued to BTM Construction Corp for violations recorded at 53 West 119th Street. DOB inspectors issued violations for failure to protect the adjoining property. At the rear of location, inspectors observed excavation work that undermined a tree on the adjacent property, causing it to fall and damage a fence, which respondent failed to report.
- \$12,500 in total penalties issued to 2 Gold Street for violations recorded at 2 Gold LLC. DOB inspectors issued violations for operation as an open-air café despite the permit to occupy the POPS space having expired.
- \$10,000 in penalties issued to Powers Bridging & Scaffold for violations recorded at 620 West 46<sup>th</sup> Street. DOB inspectors issued violations for having a Sidewalk shed not erected as per code after the shed collapsed onto the sidewalk.
- The property owners of 184 Canal Street removed an illegal advertising sign structure, confirmed by a recent inspection.



- An illegal advertising sign was removed from 506 West 181<sup>st</sup> Street, confirmed by a recent inspection.



- An illegal advertising sign was removed from 517 West 180<sup>th</sup> Street, confirmed by a recent inspection.



## Queens

- \$248,625 in total penalties issued to Neway Realty LLC for violations recorded at 52-01 102<sup>nd</sup> Street. DOB inspectors issued violations with daily penalties for illegal alterations after finding the legal three-family converted to an illegal ten-family with Single Residency Occupancies created at the cellar, 1<sup>st</sup> floor, 2<sup>nd</sup> floor,

and garage. Additionally, inspectors issued a violation for work without a permit for the work done on the garage.

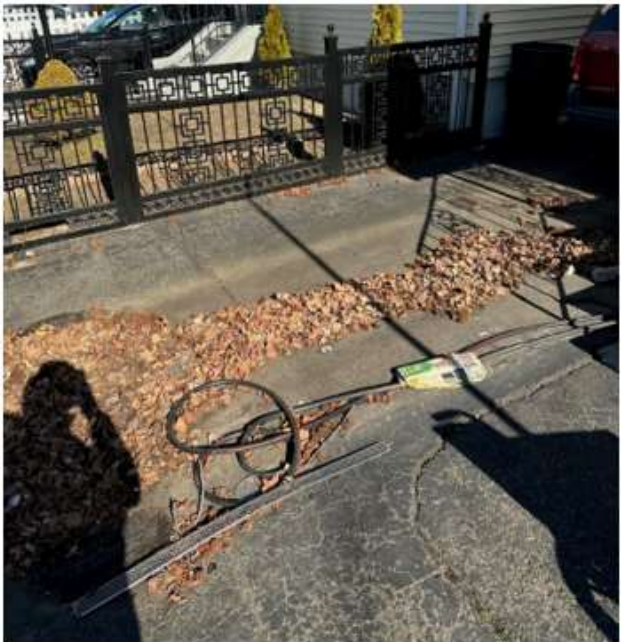
- \$122,500 in total penalties issued to 2122 Himrod LLC for violations recorded at 21-22 Himrod Street. DOB inspectors issued violations with daily penalties for illegal alterations after building owner converted the legal two-family to an illegal six-family with apartments in cellar, 1<sup>st</sup> floor and second floor. Inspectors also issued a safety summons.
- \$50,000 in total penalties issued to HP Arverne Preservation Housing for violations recorded at 146 Beach 59<sup>th</sup> St. DOB inspectors issued violations for failure to take safety measures after observing a lack of public protection despite unsafe LL11 filings at each building.
- \$30,000 in penalties imposed on Jagmeet Singh for violations recorded at 80-05 Cross Island Parkway. Violations were issued for displaying an outdoor advertising sign without a permit, in a prohibited zone, and for failing to register.



- \$9,370 in total penalties was issued to DHC Contracting for violations recorded at 14-45 29<sup>th</sup> Avenue. DOB inspectors issued violations to the General Contractor for having no documents on site, no overhead protection, missing guardrails, overloaded roof with brick pallets, and a sidewalk shed improperly installed. A Stop Work Order was also issued.
- An order of closure was issued for 14-28 Pinson Street after the premises were found to be being used for auto repairs and dead storage. A default hearing was held before OATH resulting in a favorable Report and Recommendation. An Order of Closure was issued which will be posted at the premises if the illegal use is not discontinued.



- A hearing was withdrawn for the owners of 112-37 207<sup>th</sup> Street after the illegal dead vehicle and junk storage at the premises was discontinued. The premises will be monitored for compliance.



- A hearing was withdrawn for the owners of 7-50 75 Street after the illegal furniture was discontinued. The premises will be monitored for compliance.



- A hearing was withdrawn for the owners of 144-52 225<sup>th</sup> Street have the illegal use of the premises as a contractor's yard, and commercial and vehicle and junk storage space was discontinued. Prior to a hearing scheduled with OATH, the owner submitted proof that the illegal use was discontinued. The premises will be monitored for compliance.



## Staten Island

- A \$12,500 penalty was issued to Frank Amato for a violation recorded at 2333 Forest Avenue. DOB inspectors issued a violation to the General Contractor for



failing to immediately report an accident. Additionally, OSHA reported that on July 25, 2019, a fatality occurred when a worker doing exterior masonry work fell 12 feet off a scaffold.

- The property owner of 1595 Forest Avenue removed illegal advertising sign structures, which was confirmed by a recent inspection.



## Construction and Design Professionals

- Following the audit of seven professionally certified applications submitted by Registered Architect 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; increasing the degree of non-compliance in a zoning non-complying building; failure to provide adequate accessibility for persons with physical disabilities; failure to provide adequate means of egress; failure to provide adequate light, air and/or ventilation for habitable rooms; 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 Registered Architect signed.
- Special Rigger Jesus Pas was disciplined for designating individuals who were not on his company's payroll as rigging foremen, and for behaving in an unprofessional manner while interacting with Department personnel. Pursuant to the Stipulation, Respondent agreed to one year of probation, and to pay a \$5,000.00 fine