SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----------x

THE CITY OF NEW YORK,

Plaintiff,

Index No. 402255/12

- against -

SMART APARTMENTS LLC, ROBERT K.Y. CHAN, TOSHI INC., et al.,

Defendants.

----------x

PLAINTIFF'S EXHIBITS IN SUPPORT OF
ORDER TO SHOW CAUSE

EXHIBIT 24, PART 2

MICHAEL A. CARDOZO
Corporation Counsel for
The City of New York
Attorney for Plaintiff

BY: Mayor's Office of Special Enforcement
One Center Street, Room 1012 N
New York, NY 10007
Tel: (212) 788-7140

Richard Hartzman
Assistant Counsel

224 E. 48th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/24/12	1910	AH/IH	017	

Initial Insp. [X] Re-Insp. [X] Invest. [ ] Vacate [ ] Closing [ ] Other [ ] Specify: _____

D.B.A. Apt Bldg / Illegal Hotel		A.P.I.C.	
Address 324 E 48 St		Address	
City/State NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 11	Violation C/W
Fire Department:	Violations 5	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 5
Summonses: —
E.C.B.'s: 11
Hearings: ____
Vacate #: ____
Closing #: ____

Personnel Present: DAVIS, SANTIAGO, PARCZEWSKI

Violations:

#1A - 4 people / 4 days / Holland / Smart Apts
- NO Sprinklers, NO Fire Alarm
#5A - 5 days / Denmark / 5 people / #4B - 4 people / Holland
#4C - 4 people / 7 days / Spain
- E360982 #1-3
- E360981 #1-2
- E360983 #1-2
- E360984 #1
- 072412CMTFKP19 (28-118.3.2) # 34980462M 9-13-12
20 (28-301.1) # 34980463Y
21 (28-301.1) # 34980464X
22 (907.2.8) # 34980465H
23 (1020.2.) # 34980466J
27-369

AGENCY	SUMMONS #	DESCRIPTION	RET'D DATE
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION EXPIRATION: / /

TAX ID #

-07 2412 CM0F KP24 (28-105.1) #34980467L 9-13-12

25 (1026.10) #34980468N

26 (1011.1) #34980469P

27 (28-301.1) #34980470M

28 (28-301.1) #34980471Y

Z 29 (22-00) #34980472X

A-10(B) 10-03

CROSS STREETS
3 AVE
2 AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360981

To 224- EAST 48 Street NY 10017
ADDRESS

SMART APARTMENTS
224 EAST 48th Street LLC
32 E 20ST 3rd FL. NY 10003
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient USE occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the interest OF public SaFety:
	1	DiscontinUE Transient USE occupancy Contrary
		TO Department Records - CertiFicate OF occupancy
		No 12388 indicates Tenement House class "A"
		APARTMENTS. I personally observed "SMART
		APARTMENTS" transient use occupancy operation
		in APARTMENTS 1A, 5A, 4C
	2	Provide adequate number of smoke detectors/
		alarms and carbon monoxide detectors throughout
		building operating transient use operation.

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Carsano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on Property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPF Ezilly Santiago — INSPECTOR
7-24-12 — DATE
Mayors Task Force of Special Enforcement — TITLE / UNIT
PHONE #

Unit Address 1 CENTRE ST 20th FLOOR New York NY 10007
Unit Telephone 212 788 7140

CROSS STREETS
3 AVE
2 AVE

CITY OF NEW YORK
FIRE DEPARTMENT

A-10(B) 10-03

BATTALION

D.O. 93

VIOLATION ORDER

E 360982

To 224 E 48 Street New York NY 10017
ADDRESS

"SMART APARTMENTS"
224 EAST 47th STREET LLC
33 E 20 ST 3rd Floor NY 10003
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient use occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide emergency illuminated lighting throughout transient use occupancy operation "SMART Apartments" for proper means of egress in the event of a fire emergency As per 904.10.6 of the Fire Code.
	2	Provide for front doors of building operating transient use occupancy "SMART Apartments" to open in the direction of travel for proper means of egress in the event
	3	Provide adequate number of fire extinguishers throughout building and transient use/Hotel guest Rooms "SMART APARTMENTS" As per Section 5.4.2.2 of NFPA 10 of (2007)

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER TITLE PHONE #

FFE Ervin Santiago 7-24-12 Mayors Office of Special
INSPECTOR DATE UNIT

Unit Address 1 Centre Street 20th Floor Unit Telephone 212 788-7140
New York NY 10007

A-10(B) 10-03

CROSS STREETS
3 AVE
2 AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360983

To 224 E 48 Street New York 10017
ADDRESS

SMART APARTMENTS
224 East 48th Street LLC
33 E 20ST NY 10003
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient use occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide an approved manual, automatic, or manual and automatic fire alarm system for transient occupancy operation "SMART APARTMENTS" where required by the building code, construction codes and fire code for R-1 occupancy as per section 907.2.9F the Fire Code.
	2	Provide for a fire safety director to be [illegible] for transient use occupancy operation "SMART APARTMENTS" as per section 401.6.5.2 of the Fire Code.
		NOTE F observed approximately 20 people/Hotel guests in apartments 1B, 1A, 5A, 4C

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER

TITLE PHONE #

FI Ervin Santiago — 7-24-12 — Mayors office of special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St Rm 1002N New York NY 10007

Unit Telephone 212 788 7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980463Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20 ST. 3 FL	City: NY	State: N.Y.	Zip code: 10003

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MN	KP	20

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1	1037993	6	1321	38	MD	05

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B135	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE-COMPLIANT MANNER: LACK OF A SYSTEM OF AUTOMATIC SPRINKLERS WHERE REQUIRED PER BC 903.2; 27-954. NOTED: BUILDING CONVERTED INTO TRANSIENT USE IN APTS # 1A, 4C, 5A 1B WITHOUT PROVIDING AUTOMATIC SPRINKLER SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DARUZEWSKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980463Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980465H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20 ST 3FL.	City: NY,	State: NY	Zip code: 10003	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MN	KP	22

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1037993	6	1321	38	MD	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8.	FAILURE TO PROVIDE FIRE ALARM SYSTEM. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APTS # 1A, 1B, 4C, 5A WITHOUT PROVIDING FIRE ALARM SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARZEWSKI K.

Badge number: 2|3|2|4 Unit Code: MOT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980465H

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980464X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20 ST 3FL.	City: N.Y.	State: N.Y.	Zip code: 10003	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable) / Construction Activity
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MN	KP	21

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	1037993	6	1321	38	MD	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE COMPLIANT MANNER: FAILURE TO PROVIDE NUMBER OF REQUIRED MEANS OF EGRESS FOR EVERY FLOOR PER BC 1018.1 & 27-366 NOTED: BUILDING CONVERTED INTO TRANSIENT USE IN APTS #1A, 1B, 4C, 5A WITHOUT PROVIDING TWO MEANS OF EGRESS

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRZOREWSKI K.

Badge number: 2124 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980464X

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980466J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 G 20ST 3FL.	City: NY	State: NY	Zip code: 10003	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07 24 12	C	MN	RP	23

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1037993	6	1321	38	MD	05E

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B127	BC 1020.2	FAILURE TO PROVIDE UNOBSTRUCTED EXIT
	27-369	PASSAGEWAY. NOTED: ① EXIT PASSAGEWAY FROM REAR EXIT DISCHARGE OBSTRUCTED BY STORED FURNITURE (WRAPPED IN PLASTIC FOIL) METAL STACK AND STACK ELEMENTS, SHOPING CART, HOUSE HOLD TRASH IN BLACK GARBAGE BAG. ② FRONT APT 1ST FLOOR #1A HAVING STEEL BAR FIXED GATE IN FRONT WINDOW. BLOCKING SECONDARY MEANS OF EGRESS.

Remedy: REMOVE OBSTRUCTION FORTHWITH.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE — + —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 07/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRUSZEWSKI K.

Badge number: 2 2 2 4 | Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980466J

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980468N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20 ST 3FL.	City: NY.	State: NY.	Zip code: 10003

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable) / Construction Activity
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MH	KP	25

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
M	1037993	6	1321	38	MD	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☐ | Class 2 ☒ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B206	BC 1026.10	FAILURE TO PROVIDE SIGN IN SLEEPING ROOMS, NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 1A, 1B, 5A WITHOUT A DOOR SIGN SHOWING THE LOCATION WHERE IS POSTED AND THE LOCATION OF EXIT STAIRS ON THE FLOOR,

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE 09/04/12

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PAROZEWSKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980468N

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980469P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20ST 3FL.	City: NY	State: NY	Zip code:

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MN	KP	26

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1037493	6	1321	38	MD	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 1011.1	FAILURE TO PROVIDE EXIT SIGN WHERE REQUIRED FOR EXITS & EXIT DOORS. NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 1A, 1B, 4C, 5A WITHOUT PROVIDING EXIT SIGNS THROUGHOUT.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARZEWSKI K.

Badge number: 2214 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980469P

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980470M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 224 EAST 48TH STREET LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 33 E 20 ST 3FL.	City: NY	State: NY.	Zip code: 10003

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
224 EAST 48TH ST	M	07/24/12	C	MH	KP	27

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1037993	6	1321	38	MD	OSC

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B138	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE-COMPLIANT MANNER: LACK OF EMERGENCY LIGHTING FOR EXITS, EXIT DISCHARGES AND PUBLIC CORRIDORS PER BC 1006.1 ; 27-562. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APTS # 1A, 1B, 4C, 5A WITHOUT PROVIDING EMERGENCY LIGHTING THROUGHOUT FLOORS.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE ___/___/___

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print)
PAROLENSKI K.

2 2 2 4 — Badge number
AT — Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980470M

A-10(B) 10-03

CROSS STREETS
3rd AVE
2nd AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 360984

To 224 E 48 Street NY 10017
ADDRESS

SMART APARTMENTS
224 East 48th Street LLC
33 E 20ST NY 10003
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient use occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	. Provide a diagram depicting to evacuation routes to be posted on or immediately adjacent to every required egress door from each hotel guest room ~~for~~ in transient use occupancy operation as per Section 408.5.1 of Fire Code

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER

INSPECTOR	DATE	TITLE	PHONE #
FF Erin Santiago	7-24-12	Mayor's Task Force on Special Enforcement	

Unit Address 11th St Bowling Green New York NY 10004

Unit Telephone 212 788 7140

240 E. 27th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/18/12	1015	1H	PBMS	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: eq AC request

D.B.A: Illegal Hotel		A.P.I.C.: TODD WILLIAMS (mngr)	
Address: 240 E27 ST		Address:	
City/State: NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 03	Violation C/W
Fire Department:	Violations 07	Summonses	E.C.B. 02	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 07
Summonses: ____
E.C.B.'s: 05
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: GIGLIO, PUGACH, SANTIAGO

Violations:

APT 15J | 7/16-7/20 | ENGLAND | 5 ADULTS | 3 children
SMART APTS.

2E - office
20N + penthouse as per Alice lease expired
15J + 27H lease not to be renewed after JULY.

071812CMVFVP03 BC 907.2B # 34980394J 9/6/12
071812CMVFVP02 28-301.1 # 34980393H
071812CMVFVP01 28-118.3.2 # 34980392X

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

FD ECB #112794714 (2) return date 9-5-12

ED E360073 (3); E360072 (2); E360046 (2)

CROSS STREETS
3 AVENUE
2 AVENUE

CITY OF NEW YORK
FIRE DEPARTMENT

A-10(B) 10-03

BATTALION

D.O. 94

VIOLATION ORDER

E 360072

To 240 EAST 27 Street NEW YORK 10016 SMART APARTMENTS EQR-EAST 27TH STREET APARTMENTS LLC 111 8TH AVE NY 10011
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential / Transient use occupancy — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of Public Safety
	1	Discontinue transient use occupancy "SMART APARTMENTS"
		Contrary to Department of Buildings Records, in
		Apartment 15J. Certificate of Occupancy
		indicates Class "A" Apartments.
	2	Provide emergency illuminated lighting
		throughout building. For transient use occupancy
		operation "SMART APARTMENTS", For proper means of
		egress in the event of a Fire Emergency

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

TODD Williams
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FF Edwin Santiago — 7-18-12 — Mayors Office of Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St Rm 1020N New York NY 10007 — Unit Telephone 212 788 7100

A-10(B) 10-03

CROSS STREETS
3 AVENUE
2 AVENUE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 94

VIOLATION ORDER

E 360073

To 240 E 27 Street NewYork 10016 (SMART APARTMENTS / EQR-EAST 27TH STREET APARTMENTS LLC 111 8 AVE NY 10011)
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

15J. — ROOM NO. OR FLOOR
Residential (J-2) / Transient use occupancy — TYPE OF OCCUPANCY
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide an Approved Fire Safety plan and evacuation plan For transient use occupancy operation in Apartment 15J As per section 404.2.1 of the Fire Code.
	2	Provide For a Fire Safety director to be present and on premises at all times For transient use occupancy operation "SMART APARTMENTS." As per Section 401.6.5.2 of the Fire Code
	3	Provide a diagram depicting two evacuation routes, posted on or immediately adjacent to every required egress door. From each hotel guest Room "SMART APARTMENTS"

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Todd Williams — 212 213-0901
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FAT Ervin Santiago — 7-18-12 — Mayors Task Force of special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST Rm 1012 N New York NY 10007 — Unit Telephone 212 788-7140

1

A-10(B) 10-03

CROSS STREETS
3 AVENUE
2 AVENUE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 94

VIOLATION ORDER

E 360046

To 240 East 27 street New York 10016 SMART APARTMENTS LLC EQR-EAST 27TH Street Apartment 1118 AVE NY 10011
ADDRESS NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Residential / Transient use occupancy
TYPE OF OCCUPANCY

0
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety.
	1	Provide An Approved Manual, Automatic, or
		Manual AND Automatic Firealarm system for
		transient use occupancy operation "SMART APARTMENTS",
		where required, according to all building codes
		construction codes AND Fire code As per 907.2 of
		the Fire code.
	2	Provide Adequate number of Fire extinguishers
		For class A, B, C Fire potential For transient use,
		occupancy operation "SMART APARTMENTS" As per
		Section 5.4.2.2. of NFPA 10 of (2007)

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR–NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Todd Williams
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI Erin Santiago — INSPECTOR
7-18-12 — DATE
Major Task Force of Special — TITLE
Entitlement — UNIT PHONE #

Unit Address 1 Centre street RM 1012 N New York NY 10007

Unit Telephone 212 788-7149

Miscellaneous Items

For E.U. Use Only: FPIMS Date ___/___/___ Initials ___ Agency Code No. ___

F.P.I.M.S. Account No. 7067507 FP Unit 94 ADMIN. CO. E016 C.B. # ___ UNIT PHONE # 718 999-1756

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK | **NOTICE OF VIOLATION AND HEARING**

NOV# 11279471Y

Petitioner, New York City Fire Department vs Respondent:

EQR EAST 27TH STREET APARTMENTS LLC

Respondent is: ☑ owner ☐ managing agent ☐ tenant ☐ city agency ☐ daycare center

11279471Y

Place of Occurrence (Premises Address)

BLDG 240 Prefix E Street Name 27

Type ST Suffix ___ Zip Code 10016 Boro Code 01 (1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns)

Mailing Address (if different from premises address)

BLDG 111 Prefix ___ Street Name 8

Type AVE Suffix ___ Zip Code 10011 Boro Code 01 (1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns; 6=Out of city)

Add Info/AKA ___

Notice of Violation and Order to Correct and Certify Correction:

PLEASE TAKE NOTICE that the premises cited above is in violation of the requirements of law. It is further ORDERED by the FIRE COMMISSIONER that these violations be corrected and certified to be in compliance with the requirements of law within 35 days of the date of issuance. Certification must be made on the Certificate of Correction (Gold Copy). The Certificate of Correction and all proof of compliance MUST BE RECEIVED by the Bureau of Fire Prevention. Enforcement Unit, 9 MetroTech Center, Brooklyn, New York 11201-3857 (718) 999-2392 by close of business on 8 22 12 First offenders who properly certify correction will avoid a hearing and penalty. All other respondents must appear at the Environmental Control Board (ECB) hearing indicated below.

Notice of Hearing:

If the Certificate of Correction IS NOT RECEIVED by the date indicated above OR if no date is indicated above, the respondent MUST APPEAR at a hearing on 9 5 12 at ☐8:30am, ☑10:30am, ☐1:30pm, at the ECB Hearing Office located in ☐Brooklyn ☑Manhattan ☐Queens ☐Staten Island ☐ Bronx. (The address for each location is provided on the reverse side of this form.) Proceedings will be held under the authority of Section 1049-a of the NYC Charter and the rules promulgated thereunder. This hearing is your opportunity to answer and defend the allegations set forth below. If you do not appear, you will be held in default and subject to maximum penalties. REPEAT OFFENDERS MUST APPEAR at the hearing on the scheduled date.

Upon investigation, the Fire Department has determined that the above named respondent is in violation of the New York City Administrative Code and/or rules promulgated thereunder with respect to the following requirements (which have been consolidated into violation categories (VC) for enforcement purposes, as set forth in Fire Department rule 3 RCNY §109-02):

☐ **VC 1 Portable Fire Extinguishers and Fire Hoses** Failed to provide and/or maintain ___ (NUMBER) required (portable fire extinguishers/fire hoses/other) at ___ (LOCATION).

☐ **VC 2 Combustible Waste Containers** Failed to provide required container(s) for combustible waste and/or store combustible waste in a container at ___ (LOCATION).

☐ **VC 3 Permits** Failed to (obtain/renew/possess) a permit for ___ (TYPE OF PERMIT).

☐ **VC 4 Unlawful Quantity or Location of Regulated Material** (Manufacture/Storage/Handle/Use) ___ (AMOUNT) of ___ (MATERIAL) in violation of permit/quantity/location restrictions.

☑ **VC 5 Posting of Permits and Recordkeeping** Failed to post a permit and/or (maintain/produce) records for STANDPIPE (SPECIFY) at ___ (LOCATION).

☐ **VC 6 Signs, Postings, Notices and Instructions** Failed to provide and/or maintain required (signs)(postings)(notices)(instructions) for ___ (TYPE) at ___ (LOCATION).

☐ **VC 7 Labels and Markings** Failed to provide and/or maintain required label, or other marking for ___ (TYPE) at ___ (LOCATION).

☐ **VC 8 Accumulation and Removal of Combustible Waste** Failed to timely remove combustible waste and/or allowed the accumulation of combustible waste and/or vegetation at ___ (LOCATION).

☐ **VC 9 Means of Egress** Failed to provide egress free from obstructions or impediments, and/or failed to maintain required egress at ___ (LOCATION).

☐ **VC 10 Overcrowding** Failed to limit number of persons in ___ (TYPE OF SPACE) to ___ (NUMBER OF PERSONS) at ___ (LOCATION).

☐ **VC 11 General Maintenance** Failed to maintain ___ (SPECIFY) in (good working order/clean condition) or in compliance with (general maintenance/housekeeping) requirements.

☐ **VC 12 Fire Protection Systems** Failed to provide and/or maintain required ___ (TYPE/DESCRIPTION) at ___ (LOCATION).

☐ **VC 13 Flame-Resistant Materials** Failed to provide and/or maintain required flame-resistant materials ___ (SPECIFY ITEM) at ___ (LOCATION).

☐ **VC 14 Fire-Rated Doors and Windows** Failed to (provide/protect/maintain) required (fire-rated/self-closing/access) door or window at ___ (LOCATION).

☐ **VC 15 Fire-Rated Construction** Failed to provide and/or maintain required fire-rated construction of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 16 Ventilation** Failed to provide and/or maintain required ventilation ___ (SPECIFY TYPE) at ___ (LOCATION) for ___ (SPECIFY PURPOSE).

☑ **VC 17 Certificates of Fitness and Certificates of Qualification** Failed to obtain and/or produce required (Certificate of Fitness/Certificate of Qualification) for STANDPIPE inspection (SPECIFY TYPE).

☐ **VC 18 Certificates of Approval, Certificates of License and Company Certificates** Failed to obtain and/or produce required Certificate of Approval for ___ (TYPE) Certificate of License, or Company Certificate for ___ (TYPE).

☐ **VC 19 Affidavits, Design and Installation Documents and Other Documentation** Failed to (prepare/produce/submit) required documentation: ___ (DESCRIPTION).

☐ **VC 20 Inspection and Testing** Failed to conduct required (initial/periodic) inspection or test of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 21 Portable Containers** Failed to (provide/use) required container for ___ (TYPE) at ___ (LOCATION).

☐ **VC 22 Stationary Tanks** Failed to provide required stationary tank storage system for ___ (TYPE OF MATERIAL) at ___ (LOCATION).

☐ **VC 23 Storage Facilities** Failed to provide required storage (cabinets/enclosures/rooms/vaults) at ___ (LOCATION).

☐ **VC 24 Racks and Shelf Storage** Failed to provide required racks and/or shelf storage, and/or failed to store ___ (TYPE OF MATERIAL/COMMODITIES) at ___ (LOCATION) as required.

☐ **VC 25 Electrical Hazards** Failed to provide and/or maintain required electrical devices/equipment and/or allowed electrical hazards to exist at ___ (LOCATION).

☐ **VC 26 Heating and Refrigerating Equipment and Systems** Failed to provide and/or maintain required (heating/refrigerating) system for ___ (TYPE) at ___ (LOCATION).

☐ **VC 27 Electrical Lighting Hazards** Failed to provide, protect, and/or maintain required lighting devices or equipment at ___ (LOCATION).

☐ **VC 28 Open Fires, Open Flames and Sparks** Unlawfully (lit/maintained/operated/used/failed to protect) (open fire/open flame/sparking device) at ___ (LOCATION).

☐ **VC 29 Designated Handling and Use Rooms or Areas** Failed to provide required (room/area) for (handling/use) of ___ (TYPE OF MATERIAL/ACTIVITY) at ___ (LOCATION).

☐ **VC 30 Fire Safety in Office Buildings/Hotels/Motels** Failed to comply with the fire safety requirements for (office buildings/hotels/motels). ___ (SPECIFY).

☐ **Repeat Violation (§15-229)** Failed to correct VC(s) ___ (SPECIFY) as previously cited on NOV # ___. (Respondent must appear at the hearing.)

☐ **False Certification (§15-220.1)** Willfully falsified Certificate of Correction for NOV # ___. (Respondent must appear at the hearing.)

☐ **Other Fire Code/Rule Violations** ___ (SPECIFY SECTION) Describe offense below.

Description of Violation: Violation Category 17,5

SEE SUPPLEMENTAL FORM FOR DETAILS

I personally observed the violations charged above or personally reviewed the office records indicating such violations. All statements made herein are affirmed/certified under penalty of perjury. Date of Offense: 7/18/12 Time: 12:45 a.m./p.m.

☑ Supplement Attached

Inspector's Identification Number FP 1151464

INSPECTOR'S SIGNATURE Ervin Santiago

PRINT NAME ERVIN Santiago

M25-19 H1-912711-11-112

AFFIDAVIT (CERTIFICATE) OF SERVICE (COMPLETE REVERSE SIDE)

ECB COPY

FP Unit 914 Admin CO. E016

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK	NOTICE OF VIOLATION AND HEARING	VIOLATION NO. 1127947 1Y

SUPPLEMENTAL INFORMATION FORM

Instructions:
1. Be sure to fill in the Violation Number at the top of this form and complete all of the information at the bottom of the form.
2. Indicate in the Description of Violation section of the Notice of Violation that a "Supplemental Information Form" is attached.
3. The original (white) copy of this form shall be attached to the Notice of Violation, and the other copies distributed as indicated below.

Violation Category	Supplemental Information
VC17	FAILED TO have a person in charge, obtain a certificate OF Fitness For the maintenance OF the STANDPIPE system as per 903.5 of the Fire code.
VC5	Failed TO have a person holding the certificate OF Fitness For the STANDPIPE system post AT the Main control valves a detailed record OF Monthly inspections relative TO conditions OF the water supply, risers, Fire department connections, Fire pumps, HOSE valve outlets, HOSES condition AS per section 901.6 & 905.12 OF the Fire code.

INSPECTOR'S SIGNATURE Ervin Santiago

PRINT NAME ERVin Santiago

Inspector's Identification Number 115946Y

DATE 7-18-12 TIME 12:45 AM (PM)

DISTRIBUTION

1- ECB copy 2- Respondant copy 3- Fire Department copy

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980394J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): EQR-East 27th Street apartments LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 111 8 Av	City: NY	State: NY	Zip code: 10011	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name: Equity	Company: Residential		
Mailing address	Number and street: 2 North Riverside Plaza #400	City: Chicago	State: IL	Zip code: 60606	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
240 East 27 St	M	07/18/12	C	MTA	VP	03

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II	1019855	17	907	25	MIX use	1257280

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☐ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B 106	BC 907.2.8	Failure to provide fire alarm system. Note: Apt #15 I occupied as a transient use w/o providing fire alarm system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE 1 1

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 / 06 / 12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: VIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980394J

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980393H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): E&R-East 27th Street	Last name: Apartments LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 1118 Av	City: NY	State: NY	Zip code: 10011	
Additional mailing to be sent (agent/care of/other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name: Equity	Company: Residential		
Mailing address	Number and street: 2 North Riverside Plaza #400	City: Chicago	State: IL	Zip code: 60606	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
240 East 27 St	M	07/18/12	C	MN	VP	02

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1019855	27	907	25	MIXED	1 RCNY 2280

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain building in code compliant manner lack of the system of automatic sprinklers where required per BC 9022.27-954 noted: apt #15J occupied as transient use w/o providing sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillldings Penalty Schedule.

Resolution options

CURE DATE — —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. J

Badge number: 2121/8 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980393H

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

261 W. 21St. St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
11/10/11	1615	AH/IH	010	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: BIS

D.B.A Apt Block/Illegal Hotel		A.P.I.C.			
Address 261 W 21 ST		Address			
City/State N.Y.	F#				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.		ID TYPE ____ EXP. ____	
City/State		Phone		# ____	

Buildings Department:	Violations	Summonses	E.C.B. 7	Violation C/W
Fire Department:	Violations 7	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: ____
Summonses: ____
E.C.B.'s: ____
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: Davis, Perez, Santiago

Violations:

transient use.

Apt #523 → Australia, 3 people, Oct 12 - Nov 11

Apt #17 → 7 days, Russia, 3 people

- E316265 #1-4
- E316266 #1-3
- 111011CMTFKP01 (28-118.3.2) #349241547 12/29/11
- 111011CMTFKP02 (1001.4) #349241558
- 111011CMTFKP03 (903.2.7) #349241573
- 111011CMTFKP04 (907.2.8) #349241586H
- 111011CMTFKP05 (1011.1) #349241598L
- 111011CMTFKP06 (28-301.1) #349241599N
- 111011CMTFKP07 (1008.1) #349241600K

A-10(B) 10-03

CROSS STREETS
8th AVE
7th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 316265

To 261 West 21 Street 10011 — ADDRESS

Chelsea 8th AVE LLC
347 5th AVE 16th FLOOR NY — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

RESIDENTIAL / HOTEL — TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		It the Interest of public Safety:
	1	Provide emergency illuminated lighting
		throughout For Hotel occupancy (smart apartments
		Room 171 For means of egress in event of Fire
		emergency as per BC 1011.1 and Fire Code 904.10.6
	2	Provide adequate number of Fire extinguishers
		throughout Hallways and apartments For
		Hotel occupancy (smart apartments/Tothi) For such
		Class A,B,C Fire potential As per 5.4.2.2 NFPA 10 of (2007)
	3	Provide a Fire Safety Guide and notice to be affixed
		in conspicious location preferably above Mailboxes
	4	Provide a diagram depicting two evacuation routes
		posted on or immediately adjacent to every Hotel
		Guest room As per 408.8.1 of the Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

Salvatore Cassano

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

~~Erwin Santiago~~

NAME OF PERSON WHO RECEIVED THIS ORDER: FF Erwin Santiago — 11-9-2011 — TITLE: Firefighter — PHONE#: Forte

INSPECTOR — DATE — UNIT

Unit Address: 11th Street RM 102N New York NY 10011 — Unit Telephone: 212 788 7140

A-10(B) 10-03

CROSS STREETS 8TH AVE / 7TH AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 316266

To 261 West 21 Street NY 10011 — CHELSEA 8TH AVE LLC 347 5TH AVE 16FL NY

ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — RESIDENTIAL / HOTEL (TYPE OF OCCUPANCY) — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		IN THE INTEREST OF PUBLIC SAFETY
	1	PROVIDE AN APPROVED MANUAL, AUTOMATIC; OR MANUAL AND AUTOMATIC FIRE ALARM SYSTEM FOR HOTEL OCCUPANCY (SMART RM 17 APARTMENTS) WHERE REQUIRED BY THE BUILDING CODE, CONSTRUCTION OR THIS CODE AND NFPA 72 AS PER 907.2 FIRE CODE
	2	PROVIDE ADEQUATE NUMBER CARBON MONOXIDE DETECTORS AND SMOKE ALARMS FOR HOTEL ROOMS (GUESTROOMS FOR SMART APARTMENTS/TOSHI)
	3	PROVIDE THAT FRONT DOOR OF HOTEL OCCUPANCY BUILDING SWINGS WITH MEANS OF EGRESS (OUTWARD) IN CASE OF FIRE EMERGENCY OR ANY OTHER EMERGENCY

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NO APIC

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI ERVIN Santiago — 11-9-2011 — Mayors Task Force

INSPECTOR — DATE — UNIT

Unit Address 1 CENTRE ST RM 1012N NEW YORK NY 10007 — Unit Telephone 212 788-7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924157J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE, 16TH FL.	City: N.Y.	State: NY	Zip code: 10016	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No
261 W 21ST ST	M	11/10/11	C	MN	KP	03

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1014060	6	771	01	MD / HOTEL	1309744

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 9032.7	FAILURE TO PROVIDE AN AUTOMATIC SPRINKLER SYSTEM. MIXED BUILDING OCCUPIED AS TRANSIENT HOTEL WITHOUT PROVIDING AUTOMATIC SPRINKLER SYSTEM.

Remedy: PROVIDE SPRINKLER SYSTEM.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. | Aggravated II Condition per 1RCNY 102-01(f): ☐

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important information. As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties or the first order which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the Department by the date indicated to the left, or is not approved, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRACZEWSKI K.

2224 (Badge number) 01T (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924157J

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924156H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE. 16TH FL.	City: NY	State: NY	Zip code: 10016	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
261 W 21ST ST	M	11/10/11	C	MN	KO	04

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	1014060	6	771	01	MD / HOTEL.	1309744

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	FAILURE TO PROVIDE FIRE ALARM SYSTEM
		NOTE: BLDG OCCUPIED AS TRANSIENT
		HOTEL WITHOUT PROVIDING FIRE ALARM

SYSTEM.

Remedy: PROVIDE FIRE ALARM SYSTEM,

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DARCZEWSKI K.

Badge number: 2224 Unit Code: 02T

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924156H

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924160K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE, 16 FL.	City: NY.	State: NY.	Zip code: 10016
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)		Project Code
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence				Boro	Date of violation	Type	Dist.	Code	No.
261 W 21ST ST				M	11/10/11	C	MH	KA	07
Construction type	**BIN No.**	**No. of stories**	**Block**	**Lot**	**Occupancy at time of inspection**		**Basis of violation**		
IA	1014060	6	771	01	MD / HOTEL		OSE	1310466	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27 Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed		Stop Work Order ☐ Full ☐ Partial	Class 1	Class 2	Class 3	Recurring Condition
Infraction Code	Provision of Law					
B106	BC 1008.1.2.1	FAILURE TO COMPLY WITH DIRECTION OF SWING. NOTED: BUILDING OCCUPIED AS TRANSIENT HOTEL WITH PRIMARY EXIT DOOR ON FIRST FLOOR LEADING INTO STREET SWINGS AGAINST DIRECTION OF EGRESS TRAVEL. (ENTRANCE DOOR - OUTER)				

Remedy: COMPLY DOOR WITH DIRECTION OF SWING.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ——

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311 or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print)
PARUZEWSKI

2224 Badge number — MT Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924158L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE, 16TH FL.	City: NY.	State: NY.	Zip code: 10016
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code	
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
261 W 21ST ST	M	11/10/11	C	HOT	KP	05

Construction type	BIN No	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
IV	1014060	6	771	01	MD / HOTEL	1310466

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1011.1	FAILURE TO PROVIDE EXIT SIGN WHERE REQUIRED FOR EXITS & EXIT DOORS. NOTED BUILDING OCCUPIED AS TRANSIENT HOTEL WITHOUT PROVIDING EXIT SIGNS.

Remedy: PROVIDE EXIT SIGNS.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. | ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order which shall be imposed in accordance with the ECB Buildings Penalty Schedule

Resolution options

CURE DATE ___/___/___

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2824 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924158L

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924159N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE. 16 FL.	City: N.Y.	State: NY.	Zip code: 10016	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
261 W 21ST ST	M	11/10/11	C	MH	KP	06

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1014060	6	771	01	MD / MOTEL	13/0466

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B132	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE-COMPLIANT MANNER: ILLUMINATION FOR EXITS, EXIT DISCHARGES AND PUBLIC CORRIDORS (FOR BC 1006.1; 27-381. NOTED: BUILDING OCCUPIED AS TRANSIENT HOTEL WITHOUT PROVIDING EMERGENCY LIGHTS.

Remedy: PROVIDE EMERGENCY LIGHTS.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(I)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule

Resolution options

CURE DATE ——/——/——

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2424 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924159N

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924155X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): CHELSEA 8TH AVENUE LLC	Last name:			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 347 5TH AVE 16TH FL	City: NY.	State: NY	Zip code: 10016	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable):	Project Code:		
Name	First name:	Last name:	Company:		
Mailing address	Number and street:	City:	State:	Zip code:	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No
261 W21ST ST	M	11/10/11	C	MN	KP	02

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1014060	6	771	01	MD / HOTEL	130944

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed	Stop Work Order ☐ Full ☐ Partial	Class 1 X	Class 2	Class 3	Recurring Condition

Infraction Code	Provision of Law	
B106	BC 1001.4	INADEQUATE EXITS FOR EXISTING STRUCTURES - FAILURE TO PROVIDE TWO MEANS OF EGRESS FROM ROOM OR SPACE WHERE REQUIRED.

NOTED: BUILDING OCCUPIED AS TRANSIENT HOTEL WITHOUT PROVIDING TWO MEANS OF EGRESS.

Remedy: PROVIDE TWO MEANS OF EGRESS.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties if the [illegible] order which shall be imposed in accordance with the ECB Buildings Penalty Schedule

Resolution options

CURE DATE —/—/—

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/29/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DOBROZELSKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924155X

313 W. 47th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date 10/25/11	Time 1045	Occupancy 1H/AH	Pct/Boro 018	Block/ Lot

Initial Insp. ☐ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: Complaint / BIS

D.B.A Alt Bldg		A.P.I.C.			
Address 313 W47 ST		Address			
City/State NY NY	Flr.				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____		
City/State		Phone	# _____		

Buildings Department:	Violations	Summonses	E.C.B.	Violation C/W
Fire Department:	Violations	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: _____

Summonses: _____

E.C.B.'s: _____

Hearings: _____

Vacate # _____

Closing # _____

Personnel Present: GIGLIO
LEVINE
PUGACH

Violations:

102511C MFVP01 28-301.1 # 34924083X 12/15/11

HT 5E+4E SMART APARTMENTS - KRISTAN DURAND 347-554 3379

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924083X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 175 Great Neck Rd	City: Great Neck	State: NY	Zip code: 11021	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	10/25/11	C	MN	VP	01

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
H	1025096	5	1038	25	M/D	1307467

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law
B102	28-301.1

Failure to maintain Building in code compliant manner
Defects noted: Missing Fire Rated material (cellar level ceiling) rotten joist in Boiler room cellar. no fire stopping in Boiler room cellar as per BC 712.3; 27-361

Remedy: Repair and/or replace defects

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ___/___/___

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/15/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach C

2218 (Badge number) MIT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924083X

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
11/29/11	0915	/H	PBMS	

Initial Insp. ☑ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: BIS

D.B.A Lucky Hotel		A.P.I.C.	
Address 313 W 47 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE ____ EXP. ____
City/State		Phone	#

Buildings Department:	Violations	Summonses	E.C.B. 7	Violation C/W
Fire Department:	Violations 9	Summonses 1	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Other:	Violations	Summonses	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 9
Summonses: 1
E.C.B.'s: 7
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: LOVINS GIGLIO SANTIAGO RUHACH

Violations:

#46 ~~#7~~ COLONADO PEOPLES / 0 DAYS - RENTED FROM SMART BEC's
#5E N/A

349242312	112911CMTFVP01	B10328111832	1/19/12
349242321K	112911CMTFVP02	B10128105?	1/19/12
349242331M	112911CMTFVP03	B106BC90327	1/19/12
349242341Y	112911CMTFVP04	B106BC90728	1/19/12
349242351X	112911CMTFVP05	B205ER22200	1/19/12
349242361H	112911CMTFVP06	B106BC10014	1/19/12
349242371J	112911CMTFVP07	B127BC1070227369	1/19/12
E298902	#1, #2, #3, #4		
E298903	#1, #2, #3		
E298904	#1, #2		

1038
25

A-10(B) 10-03

CROSS STREETS 8th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298902

To 313 West 47 Street — SMBRO group LLC 175 Great Neck Rd
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential/Transient use — Great Neck NY 11021
TYPE OF OCCUPANCY — ACCOUNT NO. — SMART Apartments

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
NCW	1	Provide emergency illuminated lighting throughout transient use/SMART Apartments for means of egress in case of Fire emergency as per 904.10.6 of the Fire code AND 1011.6 of ~~of~~ the Fire code.
NCW	2	Provide Adequate number of smoke/alarm carbon monoxide detectors throughout Residential transient use occupancy.
NCW	3	Provide Adequate number of Fire extinguishers throughout building for Residential/transient use "SMART Apartments" as per 504.2.2 NFPA-10 of (2007)
NCW	4.	Provide an Approved manual, Automatic OR manual and Automatic Fire alarm system where required by Construction codes including building code for transient use occupancy 907.2 Fire code

If this order has not been complied with in 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted in lobby
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FF Ervin Santiago — 11-29-11 — Officer of Special enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St 2M1012N New York NY 10007 — Unit Telephone 212 788-7140

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
1/5/2012	1,2,3,4			✓	✓	Ervin Santiago	MTF/OSE

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # 1,2,3,4 N.C.W.

ADDITIONAL INFORMATION

FSSUED SUMMONS # 4332980944-3
For non Compliance of Violation
order E298902 items # 1, 2, 3, 4

Ervin Santiago 1/5/2012

INSPECTOR DATE CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

A-10(B) 10-03

CROSS STREETS 8th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298903

To 313 West 47 Street (ADDRESS) — SMBRO Group LLC 175 great Neck Rd (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

3rd, 4th Floor (ROOM NO. OR FLOOR) — Residential / transient use (TYPE OF OCCUPANCY) — great neck NY 11021 (ACCOUNT NO.) "SMART APARTMENTS"

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
NCW		Remove all storage, planters, Lobster/crab traps From 4th and (Rear) 3rd Floor Fire escape For proper means of egress in the event of a Fire emergency or any other emeegency as per 1027.1 of the Fire CODE
CW	2	Provide that Roof top access door is in closed position at all times As per section 504 of the Fire code.
NCW	3	Properly wire light Fixture located throughout hallways of Residential/transient use building and provide open wire splices Forthwith; inside approved Junction Box

If this order has not been complied with in, ____ days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York. Bus. & Fire Code

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted in lobby

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FDE Edwin Santiago — 11-29-11 — Office of special enforcement

INSPECTOR — DATE — UNIT

Unit Address 1 Centre St Rm 1012N New York NY 10007 — Unit Telephone 212 788-7140

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
1/5/2012	1,3			✓	✓	Ervin Santiago	MTF/OVE
1/5/2012	2	✓				Ervin Santiago	MTF/OVE

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # 2 C.W. Items # 1,3 N.C.W.

ADDITIONAL INFORMATION

ISSUED SUMMONS # 4332980955
For non Compliance of Violation order
E298903 ; item # 1, 3.

ERVIN Santiago 1/5/2012

INSPECTOR DATE CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

A-10(B) 10-03

CROSS STREETS 8 AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298904

To 313 WEST 47 STREET NY — ADDRESS
SMBRO group LLC — NAME OF OWNER, LEASEE, OCCUPANT, ETC.
175 great neck Rd great neck NY 11021

ROOM NO. OR FLOOR
Residential — TYPE OF OCCUPANCY
ACCOUNT NO.
SMART APARTMENTS

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
NCW	1	Provide a diagram depicting two evacuation routes posted on or immediately adjacent to every required egress door from each hotel guest room As per 4088.1 Fire Code for Residential/transient use "SMART APARTMENTS"
NCW	2	Provide proper front door swing in direction of means of egress for Residential/ transient use building "SMART APARTMENTS!"
NCW		
NCW		

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR–NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted in lobby
NAME OF PERSON WHO RECEIVED THIS ORDER

FPIE Erwin Santiago — INSPECTOR
11-29-11 — DATE
OFFICE of Special enforcement — TITLE / PHONE # / UNIT

Unit Address 1 Len the St Plaza NY NY 10007
Unit Telephone 212-788-7145

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
1-5-2012	1, 2			V	J	Erwin Santiago	MTP/OSE

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # 1, 2 N.C.W.

ADDITIONAL INFORMATION

ISSUED SUMMONS # 4332980 96-7
FOR NON COMPLIANCE OF FIRE COMMISSIONERS
VIOLATION ORDER E 298904 ITEM # 1, 2

Erwin Santiago 1-5-2012
Erwin 1-5-2012

INSPECTOR DATE CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

PRINT ALL ENTRIES - USE BALL POINT PEN - PRESS HARD

AA-500 (1/06) COMPLAINT/INFORMATION

433298082-7

The People of The State of New York VS.

Susp/Rev Check ☐ Yes ☐ No
Motorist Exhibited License ☐ Yes ☐ No

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes ☐ No

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | Type (PAS CMT COM CML Other) | Reg. Expires (MO DAY YR) | (NY CT PA NJ Other) | (CHEV FORD HONDA DODG OLDS BUICK TOYT NISS Other) | (SEDAN SUBN VAN TRUCK MCY Other) | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM / PM Time: 10:00 ☐ | Date of Offense: 11-29-11 | County: NY | Precinct: 018

Place of Occurrence: 313 West 47 Street

IN VIOLATION OF: 15-216 A+B (Sec / Sub) | VTL | Traf. Rules | Admin. Code: X | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Blocked Fire escape exit

SPEEDING: MPH | In MPH Zone | DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal | Pave Marks ☐ | Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: SAP 7A | County: NY

Located at: 108 Leonard ST

Date of Appearance: 9:30 a.m. day of year

I personally observed the commission of the offense charged above. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

Rank/Full Signature of Complainant: FPI Erwin Santiago

Complainant's Full Name (printed): ERWIN Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: MIF | Tax Registry No.: 1159464

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

YOUR LICENSE AND/OR REGISTRATION MAY BE SUBJECT TO SUSPENSION IF YOU DO NOT RESPOND TO THIS SUMMONS

NYS DEPT OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

AA-500 (1/06)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed Fire escape in Rear of building obstructed with Fishing (lobster/crab traps) planters and Air Conditioning Unit on 4th AND 3rd Floor.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

11-29-11 Erwin Santiago
Date Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date Judge

(1)

(2)

4332980827

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924233M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group	Last name: LLC		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 175 Great Neck Rd	City: Great Neck	State: NY	Zip code: 11021
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code	
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	11/29/11	C	MTF	VP	03

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1025096	5	1058	25	Mixed use	1/1/1925

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC903.2.7	Failure to provide an automatic sprinkler system. No CofO Apt #4E observed as a transient use without providing sprinkler system

Remedy: ~~Pay~~ Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ——

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 01/19/12 at ~~8~~:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print) Fugach V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924233M

ECB-PC (Rev. 9/08)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924234Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 175 Great Neck Rd	City: Great Neck	State: NY	Zip code: 11021
		License No. (If Applicable)	Project Code	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	11/29/11	C	MN	UP	04

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TH	1025096	5	1038	25	mixed use	13/1925

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide Fire alarm system. Failed: Apt 4E occupied as a transient use without providing Fire alarm

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 6/19/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pagan. V

2218 — Badge number — Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924234Y

ECB-PC (Rev. 9/08)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924236H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 175 Great Neck rd	City: Great Neck	State: NY	Zip code: 11021
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)		Project Code
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	11/29/11	C	MTR	UP	05

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II	1015096	05	1038	25	MIX Use	13/1925

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☐ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 1001.4	Failure to provide required means of egress from room or space. Noted: APT 4E occupied as a transient use without providing required means of egress

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 01/19/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Rugach V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924236H

ECB-PC (Rev. 9/08)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924237J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 175 Great Neck rd	City: Great Neck	State: NY	Zip code: 11021	
		License No. (If Applicable)		Project Code	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	11/29/11	C	MN	UP	07

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1025096	5	1038	25	MIX USE	1201925

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 X | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law
B127	BC1020.2
	22-369

Failure to provide unobstructed Exit passageway. Noted: Exit passageway on Fire Escape Landing 4th floor obstructed by commercial string gear, flower pots, A/C unit

Remedy: Remove obstruction

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 01/19/12 at ~~8~~:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- X **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Bryant. C

Badge number: 2128 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924237J

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
2/5/12	0900	1H	PBMN	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A. / LLOBAL Hoyos		A.P.I.C.	
Address 313 W 47 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 5	Violation C/W
Fire Department:	Violations 3	Summonses 3	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Other:	Violations	Summonses	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: ____
Summonses: ____
E.C.B.'s: 5
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: LOVINO, GIGLIO, DAVIS, SANTIAGO, ZUCCH

Violations:

#5E - MONTREAL - WORK & PROPS

#4E N/A

E298944 #1, #2, #3

349243691	0105 12 CMTFVP01	B106BC90327	2/23/12
349243702	0105 12 CMTFVP02	B106BC90728	2/23/12
349243711K	0105 12 CMTFVP03	B10328118232	2/23/12
349243721M	0105 12 CMTFVP04	B205ZR2200	2/23/12
349243731Y	0105 12 CMTFVP05	B106BC10014	2/23/12

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	433298094-3	FAIL TO COMPLY W/ VIOL # E298902	
B ☐ F ☒ H ☐ PD ☐	433298095-5	FAIL TO COMPLY W/ VIOL # E298903	
B ☐ F ☒ H ☐ PD ☐	433298096-7	FAIL TO COMPLY W/ VIOL # E298904	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

1038
25

A-10(B) 10-03

CROSS STREETS 8TH AVE / 9TH AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER E 298944

To 313 WEST 47 STREET NY 10036 — ADDRESS

SMART APARTMENTS SMBRO GROUP LLC 175 GREAT NECK RD 11021 — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

5E — ROOM NO. OR FLOOR

RESIDENTIAL — TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of Public Safety:
	1	Provide A diagram depicting two evacuation routes posted on or immediately ADJACENT to every required means of egress Door From each hotel/transient use occupancy Room As per 408.8.1 of the Fire Code
	2	Provide AND post in a conspicious location preferably near the mailboxes ETC. A copy OF the Fire Safety plan and notice
	3	Provide AND Securely affix the Fire Safety plan AND notice by Mounting Hardware or AN ADHESIVE SUCH That NO part excluding Frame is Higher than 5½ Feet From Floor. NOTE: HOTEL NAME IS "SMART APARTMENTS"

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED in lobby ABOVE MAILBOXES

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

ERVIN SANTIAGO — INSPECTOR

1/5/2012 — DATE

OFFICE OF SPECIAL ENFORCEMENT — UNIT

Unit Address 1 CENTRE ST 2MIDTN NEW YORK NY 10007

Unit Telephone 212 788-7140

PRINT ALL ENTRIES - USE BALL POINT PEN - PRESS HARD

TAA-300 (1/08) COMPLAINT/INFORMATION

433298094-3 Suspn/Rev. Check ☐ Yes ☐ No

The People of The State of New York VS. Motorist Exhibited License ☐ Yes ☐ No

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes ☐ No

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | NY | CT | PA | NJ | Other | Reg. Expires (MO DAY YR)

PAS | CMT | COM | OML | Other | CHEV | FORD | HONDA | DODG | OLDS | BUICK | TOYT | NISS | Other

SEDAN | SUBN | VAN | TRUCK | MCY | Other | Veh. Yr | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM 10:00 PM ☐ | Date of Offense 1-5-2012 | County NY | Precinct 018

Place of Occurrence 313 WEST 47 STREET 10036

IN VIOLATION OF 15-223, 1A+B | V.T.L. | Traf. Rules | Admin Code X | Penal Code | Other

Sec. Sub

Description of Violation, if Not Shown Below (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

FAILED TO COMPLY With Violation order E298902 ITEMS # 1,2,3,4

SPEEDING | MPH | In MPH Zone | DISOBEY TRAFF CONT DEV ☐ Sign ☐ Signal Pave Marks ☐ | Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part | County

Located at 108 lemard ST 10013 | SAP 2ST | NY

Date of Appearance 9:30 a.m. day of year

Signature of Complainant

Complainant's Full Name (printed) ERWIN SANTIAGO | Command Code 05E

Agency/NCIC FDNY | Squad MTF | Tax Registry No. 115946

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

I personally observed violation order E298902 items # 1,2,3,4 was not complied with

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

1/5/2012 Erwin Santiago
Date Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date Judge

(1)

(2)

4332980943

PRINT ALL ENTRIES • USE BALL POINT PEN • PRESS HARD

AA-500 (1/06) COMPLAINT/INFORMATION

433298095-5

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

The People of The State of New York VS.

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Plate Type: PAS OMT COM OML Other

Make: CHEV FORD HONDA DODG OLDS BUICK TOYT NISS Other

Body Type: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

Time: ☑ AM 10:00 ☐ PM | Date of Offense: 1-5-2012 | County: NY | Precinct: 018

Place of Occurrence: 313 West 47 Street 10036

IN VIOLATION OF: 15-223 . 1 A+B

Sec. | Sub | V.T.L. | Traff. Rules | Admin. Code: X | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failed to Comply With Fire Commissions Violation order E298903 item# 1,3

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal | Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT

Located at 108 Leonard ST. 10013 | Summons Part: 54 24 | County: NY

Date of Appearance: 9:30 a.m. day of year

I personally observed the commission of the offense charged above. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

Rank/Full Signature of Complainant: Ervin Santiago

Complainant's Full Name (printed): ERVIN Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: HTF | Tax Registry No.: 115964

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

AA-500 (1/06)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed item# 1,3 For Violation order E 298903 Was not Complied With.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

1/5/2012 Date | Ervin Santiago Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date | Judge

(1)

(2)

4332980955

PRINT ALL ENTRIES - USE BALL POINT PEN - PRESS HARD

AA-500 (1/06) COMPLAINT/INFORMATION

433298096-7

The People of The State of New York VS.

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Type: PAS OMT COM OML Other | Make: CHEV FORD HONDA DODG OLDS BUICK TOYT NISS Other

Body Code: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM ☐ PM ☐ Time: 10:15 | Date of Offense: 1-5-2012 | County: NY | Precinct: 018

Place of Occurrence: 313 WEST 47 STREET 10036

IN VIOLATION OF: 15-223.1 A+B

Sec | Sub | V.T.L. | Traff. Rules | Admin. Code: X | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failed to Comply with Fire Commissioners Violation order E298904 item 1,2

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal | Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: SAP 72 | County: NY

Located at: 108 Leonard ST 10013

Date of Appearance: 9:30 a.m. day of year

I personally observed the commission of the offense charged above. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

Rank/Full Signature of Complainant: Ervin Santiago

Complainant's Full Name (printed): ERVIN Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: MTF | Tax Registry No.: 115946

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY
CRIMINAL COURT

AA-500 (1/06)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed Fire Commissioners violation order E 298 904 item #1, was not complied with.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

Date: 1-5-2012 Signature: Ervin Santiago

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date _____ Judge _____

(1)

(2)

4332980967

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924369L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 185 Great Neck Rd Suite #404	City: Great Neck	State: NY	Zip code: 11021	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47St	M	01/05/12	C	MTF	VP	01

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1025096	5	1038	28	MIXED	131 3773

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 903.2.7	Failure to provide an automatic sprinkler system. Noted: APT# 5F occupied as a transient use without providing sprinkler system

Remedy: Discontinue Illegal Occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02/23/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V.

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924369L

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924370Z
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): SMBRO Group LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 185 Great Neck Rd suite#404	City: Great Neck	State: NY	Zip code: 11021	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)		Project Code	
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
313 West 47 St	M	01 10 5 12	C	MN	VP	02

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1025096	5	1038	25	MIXED	1315 7.3

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC907.2.8	Failure to provide fire alarm system. Noted: Apt 5E occupied as a transient use without providing fire alarm

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

☐ The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02 12 3 1/2 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Rugach, D

Badge number: 2179 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924370Z

ORIGINAL - FOR COPY

ECB-PC (Rev. 9/08)

317 2nd Ave.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
2/14/12	1720	AH/FH	013	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: _____

D.B.A	Apt. Bldg / Illegal Hotel	A.P.I.C.			
Address	317 2nd Ave	Address			
City/State	N.Y.	Flr.			
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____		
City/State		Phone	# _____		

Buildings Department:	Violations	Summonses	E.C.B. 8	Violation C/W
Fire Department:	Violations	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses 6	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 6
Summonses: _____
E.C.B.'s: 8
Hearings: _____
Vacate # _____
Closing # _____

Personnel Present: DAVis, Pugach Parczewski, Santago

Violations:

Apt #5 Australia, 13 days; Owen Jones + guest
Apt #10 - 2 month, Australia
Apt #12 - 1 month, San Diego, CA
Apt #11 1½ month, Spain
- 021412CMTFKP05 (1008.1.2.2) # 349245904/5/12
- E 331249 #1-3 / 021412CMTFVP03 ZR 22-00 # 349245961 4/5/12
- E 360510 #1-3
- 021412CMTFKP01 (28-118.3.2) # 349245844/5/12
- 021412CMTFKP02 (1001.4) # 349245854
- 021412CMTFKP03 (903.2.7) # 349245881
- 021412CMTFKP04 (907.2.8) # 349245891
- 021412CMTFVP01 (1020.2, 27-361) # 349245871
- 021412CMTFVP02 (28-301.1) # 349245861

A-10(B) 10-03

CROSS STREETS
East 18 ST
East 19 ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 360510

To 317 2nd AVE NEW YORK 10017 — ADDRESS
317-319 second Realty LLC
433 WEST 34 ST — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR
RESIDENTIAL / TRANSIENT USE — TYPE OF OCCUPANCY
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide adequate emergency illuminated lighting throughout building, For transient use occupancy / Hotel, For proper means of egress as per 904.10.6 Fire Code.
	2	provide a diagram depicting two evacuation routes posted on or immediately adjacent to every required egress door From each transient use / Hotel guest Room with all requirements Set Forth in Section 408.8.1 of the Fire Code.
	3	Provide an approved Manual, Automatic, or Manual and Automatic Fire alarm system For transient use occupancy (STAYSMART APARTMENTS) / Hotel As per construction codes, building codes and Fire code As per section 907.2 of the Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Ervin Santiago — INSPECTOR
2-14-2012 — DATE
OFFICE OF Special Enforcement — UNIT

Unit Address 1 CENTRE ST RM 1012N NEW YORK NY 10007
Unit Telephone 212-788-7140

A-10(B) 10-03

CROSS STREETS
E 18th ST
E 19th ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 331249

To 317 4 3rd AVE NEW YORK NY 10003 (317-319 Second Realty L.L.C. 433 West 14 ST Suite 429 3R New York NY 10014)
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

Apt #5 2nd FL. — Residential — Suite 429 3R
ROOM NO. OR FLOOR — TYPE OF OCCUPANCY — ACCOUNT NO.

New

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Discontinue occupancy contrary to
		building department records in Apt #5 (2nd Floor)
		AND throughout.
		Note I observed Transient use occupancy
		in apt #5 13 Days From Australia
	2	Remove deadbolt lock and latch in cellar level
		going to street level From court yard and
		provide proper hardware For door For proper
		Means of egress.
	3	Provide that the Front Door For Transient use
		occupancy, swings outward (as) with towards
		Means of egress in case of Fire emergency as per
		904.10.6 Fire Code E. Forthwith

If this order has not been complied with in, _____ days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Erwin Santiago — 2-14-2012 — OFFICE OF special enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST RM 1012N New York NY 10007 — Unit Telephone 212 788-7140

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924588L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 317-319 SECOND REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W14 ST. SUITE 429 3R	City: NY.	State: NY	Zip code: 10017	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence		Boro	Date of violation	Type	Dist.	Code	No.
317 2ND AVE		M	02/14/12	C	MN	LP	03
Construction type	**BIN No.**	**No. of stories**	**Block**	**Lot**	**Occupancy at time of inspection**	**Basis of violation**	
1M	1019587	6	899	27	MD	BSC 1315116	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27 Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 903.2.7	FAILURE TO PROVIDE AN AUTOMATIC SPRINKLER SYSTEM. WORK: BUILDING OCCUPIED AS TRANSIENT USE WITHOUT AUTOMATIC SPRINKLER SYSTEM.

Remedy: PROVIDE SPRINKLER SYSTEM.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/05/12 at X 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- X **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2212 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924588L

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924589N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 317-319 SECOND ABALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14TH ST SUITE 429 3A	City: N.Y.	State: N.Y.	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
317 2ND AVE	M	02/14/12	C	MN	KP	04

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	1019589	6	899	27	MD	13/5116

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	FAILURE TO PROVIDE FIRE ALARM SYSTEM
		NOTED: BLDG OCCUPIED AS TRANSIENT USE WITHOUT PROVIDING FIRE ALARM SYSTEM.

Remedy: PROVIDE FIRE ALARM.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/05/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2224 Unit Code: MT

Supervisor's signature _____

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34924589N

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924590K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 317-319 SECOND AGENCY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10017	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
317 2ND AVE	M	02/14/12	C	MN	KP	05

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	1019589	6	899	27	MD	13/5116

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1008.1.2.2	FAILURE TO COMPLY WITH DIRECTION OF SWING. POSTED BLDG OCCUPIED AS TRANSIENT USE WITH PRIMARY EXIT DOORS ON FIRST FLOOR LEADING INTO STREET SWING AGAINST THE DIRECTION OF EGRESS TRAVEL.

Remedy: COMPLY DOOR SWING WITH DIRECTION OF EGRESS TRAVEL

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(I)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/05/12 at X 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- X **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PROTOPOPESCU K.

Badge number: 2424 Unit Code: MCE

Supervisor's signature ____

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature ____

This statement is affirmed under penalty of perjury.

34924590K

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924585X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 317-319 SECOND REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14 ST. SUITE 429 3R	City: NY	State: NY.	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence				Boro	Date of violation	Type	Dist.	Code	No.
317 2ND AVE				M	02/14/12	C	MN	KP	02
Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection		Basis of violation		
III	1019589	6	849	27	MD		1315/16		

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27 Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1001.4	INADEQUATE EXITS FOR EXISTING STRUCTURES
		FAILURE TO PROVIDE TWO MEANS OF EGRESS FROM EACH OCCUPIED SPACE WHERE REQUIRED.

NOTED: BUILDING OCCUPIED AS TRANSIENT USE WITHOUT PROVIDING TWO MEANS OF EGRESS.

Remedy: PROVIDE TWO MEANS OF EGRESS.

ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties if the Fire Department issues a vacate order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/05/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DARCZEWSKI K.

Badge number: 2124 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924585X

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924587J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 317-319 Second Realty LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14 St Suite 429 3R	City: NY	State: NY	Zip code: 10017	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
~~317~~ ~~East~~ 317 2 Ave	M	02/14/12	C	HTA	UP	01

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1019589	~~3~~ 5	899	27	Resid	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B127	BC1020.2	Failure to provide unobstructed Exit passageway. Noted: Exit passageway at cellar level front obstructed by garbage can, grill of A/C unit (window) Floor stain, Exit passageway obstructed by Electric meters at cellar level from cellar apartment interior corridor
	27-369	

Remedy: Remove obstruction

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ——

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/05/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924587J

325 E. 10th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/12/12	2135	1H	PBMS	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: B/S

D.B.A / GLOBAL HOTEL		A.P.I.C.	
Address 325 E 10 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE ____ EXP. ____
City/State		Phone	#

Buildings Department:	Violations	Summonses	E.C.B. 7	Violation C/W
Fire Department:	Violations	Summonses 2	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: ____
Summonses: 2
E.C.B.'s: 7
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: LEVINE GIGLIO SANTIAGO RUGACH

Violations:

#4B 1 WORK - 5 PEOPLE - COSTA RICA
#2A N/A #2B N/A #3A N/A #3B N/A #1A N/A #1B N/A
#4A COMPANY - 1 WORK - 4 PEOPLE
#5B 12 DAYS - 5 PEOPLE - DENMARK
#5A AUSTRALIA - 8 DAYS - 6 PEOPLE
#R4C PERM #R1C N/A #R1D PERM #R2C N/A #R2D PERM #R3D PERM
#B1 - AUSTRALIA - 1 WORK - 2 PEOPLE
#2B 2 WORKS - FLORIDA - 4 PEOPLE

34980330K	071212CMTFVP08	B103281132
34980331M	071212ZMTFVP09	B205ZR2200
34980332Y	071212CMTFVP10	B106BC10014
34980333X	071212CMTFVP11	B1061008122

→

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	4403444441	FAIL TO COMPLY W/ VIOL # E298940	
B ☐ F ☒ H ☐ PD ☐	4403444453	FAIL TO COMPLY W/ VIOL # E298941	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # **EXPIRATION:** / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

34980334H 071212CMTFVP12 B106BC90327

34980335J 071212CMTFVP13 B106BC90728

34980336L - 071212AMTFVP14 B263 282044

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name *(Last, First, MI)*						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires *(mm/dd/yy)*	Sex		
Date of Birth *(mm/dd/yy)*	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires *(mm/dd/yy)*	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour *(hh:mm)*	Date of Offense *(mm/dd/yy)*	County
2130	7-12-12	NY

Place of Occurrence	Precinct
325 East 10 street 10009	09

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15223.1	A+B	☐	☒	☐	☐	

Title of Offense: Failure to Comply with Violation order E298940

Factual Allegations *(describe offense)*:

I personally observed transient use occupancy without evacuation Diagrams (item#1), NO Fire Safety plan and evacuation plan For transient use occupancy operation "SMART APARTMENTS (item#2), No Fire Safety director on premises (item#3)

SPRINT #:

Defendant stated in my presence *(in substance)*:

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed *(mm/dd/yy)*
Ervin Santiago	FPI Ervin Santiago	

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard Street 10013	5AD 2A	NY

Date of Appearance *(mm/dd/yy)* At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403449911

80100065? ©2010, HH Donnelley. All rights reserved. 0667

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)	Sex		
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
2130	7/12/12	NY

Place of Occurrence	Precinct
325 E 10 Street	09

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-223.1	A+B	☐	☒	☐	☐	

Title of Offense: Failed to Comply with Fire Commissioners Violation or ERE 29 #94 1

Factual Allegations (*describe offense*):

I personally observed transient use occupancy operation, with approximately 30 guests, operating without an approved Fire alarm (item #1) I also observed Front Doors not opening in direction of travel (outward) item #2

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
Ervin Santiago	FF Ervin Santiago	7/12/12

Agency	Tax Registry #	Command Code
FDNY	1159464	HTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403444453

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980335J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 Realty, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14St + Suite 4293R		City: NY	State: NY	Zip code: 10014
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)	Construction Activity	
Name	First name	Last name		Company	
Mailing address	Number and street		City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10St FRONT	M	07/12/12	C	41F	VP	13

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TH	1082472	5	404	43	MIX use	1378787

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☑ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☑

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide FIRE alarm system. Noted building IS occupied as a transient use without providing fire alarm

Previous violations # 34924366K and #34922760J

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / /

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE / / at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980335J

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980334H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 Realty, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 429R	City: NY	State: NY	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	07/12/12	C	41F	VP	12

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1082472	5	404	43	MIXUSE	1325897

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☒

Infraction Code	Provision of Law	
B106	BC903.2.7	Failure to provide an automatic sprinkler system. Noted: Building occupied as a transient use without providing sprinkler system

Previous violation # 34924365Y

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / /

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE / / at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MJT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980334H

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980332Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 Realty, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 429-3R	City: NY	State: NY	Zip code: 10014	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St FRONT	M	07/12/12	C	4TA	VP	10

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
IH	1082472	5	404	43	MIX use	1326991

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☒

Infraction Code	Provision of Law	
B106	BC1001.4	Failure to provide required means of egress from room or space. Noted: Building occupied as a transient use without providing Required means of egress

Previous Violation # 34924367H

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE / / at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature —
This statement is affirmed under penalty of perjury.

34980332Y

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980333X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 Realty LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 429-3R	City: NY	State: NY	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St FRONT	M	07/12/12	C	MTA	VP	11

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1082472	5	404	43	MIX use	1326997

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☒

Infraction Code	Provision of Law	
13106	1008.1.2.2	Failure to comply with direction of swing, Noted: Exit doors at 1 Floor swinging against direction of Egress travel for transient use

Previous violation # 34924363K

Remedy: comply with code

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / /

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE / / at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980333X

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/Lot
1/4/12	0825	1H	RBMS	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A. Lugar Hotel		A.P.I.C.	
Address 325 E 10 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 7	Violation C/W
Fire Department:	Violations 5	Summonses \	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Other:	Violations	Summonses	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 5
Summonses: 1
E.C.B.'s: 7
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: McGee, Loving, Cicio, Davis, Santiago, Pugach, Parczewski

Violations:

#2B - 1 WORK - NORWAY 3 PEOPLE - SMART APTS #2A N/A
#3B 1 WORK SWEDEN 5 PEOPLE
#4A 14 ~~MONTH~~ DAYS - 4 PEOPLE - AUSTRALIA - SMART APTS
#3A AUSTRALIA 15 DAYS - 3 PEOPLE
#4B - 2 WORKS RUSSIA - 2 PEOPLE - SMART APTS
#5A MA #5B N/A / #1A 9 DAYS - 2 PEOPLE GERMANY
#1B 6 DAYS AUSTRIA 2 PEOPLE
BSMT #1 2 PEOPLE 7 DAYS BUENOS AIRES ARGENTINA SMART APTS BSMT #2 N/A
E298940 #1, #2, #3
E298941 #1, #2

→

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	4332980 93-1	FAIL TO COMPLY WITH VIOL ORDER # 633111	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

34924361R	010412CMTFVP01	B20328 11832	2/23/12
34924362Z	010412ZMTFVP02	B205ZR2200	2/23/12
34924363K	010412CMTFVP03	B1061008122	2/23/12
34924364M	010412CMTFVP04	B10328 11832	2/23/12
34924365Y	010412CMTFVP05	B10690327	2/23/12
34924366X	010412CMTFVP06	B10690728	2/23/12
34924367H	010412CMTFVP07	B106 10014	2/23/12

A-10(B) 10-03

CROSS STREETS
AVENUE A
AVENUE B

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 298940

To 325 East 10th STREET 10009 c/o T&T Realty Management LLC 325 EAST 10 Realty LLC 477 West 142 ST NY 10031
ADDRESS NAME OF OWNER, LEASEE, OCCUPANT, ETC.

_____ Residential / transient use _____
ROOM NO. OR FLOOR TYPE OF OCCUPANCY ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide A DIAGRAM DEPICTING TWO evacuation routes TO BE posted on or IMMEDIATELY ADJACENT to every required means of egress door From each HOTEL guest Room As per 408.8 section of the FIRE CODE:
		NOTE: I observed transient use occupancy in Rooms B1, F1B, F3A, F3B, F2B, F4B Front.
	2	Provide A Fire safety plan and evacuation plan FOR R-1 (transient use occupancy) SMART APARTMENTS" As per section 404.2.1(8) OF the Fire CODE:
	3.	Provide A Fire safety director TO be on premises AT All times FOR transient use occupancy 406.5.2 Fire CODE.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER TITLE PHONE #

ERVIN Santiago 1/4/2012 OFFICE OF special ENFORCEMENT
INSPECTOR DATE UNIT

Unit Address 1 Centre ST Room 1012N Unit Telephone 212-788-7140
NEW YORK NY 10007

A-10(B) 10-03

CROSS STREETS Avenue A / Avenue B

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 298941

To 325 East 10th street 10009 (ADDRESS)
325 East 10 Realty LLC c/o TBT Realty Management LLC 477 West 142 Street NY 10014 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

_____ (ROOM NO. OR FLOOR)
Residential / Transient use (TYPE OF OCCUPANCY)
_____ (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1.	Provide/Install an approved Manual, Automatic or Manual and Automatic Fire Alarm System where required, For Transient use occupancy "SMART APARTMENTS", by the Construction Codes, The Building Code or this Code and NFPA 72 As per Section 907.2 of the Fire Code.
		note: I observed transient use occupancy For apartments B1, F1B, F3A, F3B, F2B, F4B Front.
	2	Provide that two Front Doors, For Front building, swing toward s the means of egress discharge (outward) For transient use occupancy "SMART APARTMENTS" In case of Fire emergency As per Section 904.10.6 of the Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER		TITLE	PHONE #
Ervin Santiago (INSPECTOR)	11/1/2012 (DATE)	Office of Special Enforcement (UNIT)	

Unit Address 1 Centre ST Room 1012N New York NY 10007 Unit Telephone 212-788-7140

PRINT ALL ENTRIES • USE BALL POINT PEN • PRESS HARD

AA-500 (1/08) COMPLAINT/INFORMATION

433298093-1

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

The People of The State of New York VS.

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Type: PAS OMT COM OML Other | Make: CHEV FORD HONDA DODG OLDS BUICK TOYT NISS Other

Body Type: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM ☐ PM ☐ Time: 9.00 | Date of Offense: 1-4-2012 | County: NY | Precinct: 09

Place of Occurrence: 325 East 10 Street 10009

IN VIOLATION OF: 15-223.1 A+B

V.T.L.	Traff. Rules	Admin. Code	Penal Code	Other
		X		

Sec Sub

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE)

Failed to Comply With Violation order E329107 E331111 item#1

SPEEDING		DISOBEY TRAFF CONT DEV		Uninspec. Veh.	Unreg. Veh.	Unlic. Oper.
MPH	In MPH Zone	☐ Sign ☐ Signal	Pave Marks ☐	Uninsur. Veh.	Com. Veh.	Bus / Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: SAP 2H | County: NY

Located at 108 Leonard ST 10013

Date of Appearance: 9:30 a.m. day of year

I personally observed the commission of the offense charged above. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

Rank/Full Signature of Complainant: Erwin Santiago

Complainant's Full Name (printed): Erwin Santiago | Command Code: OSE

Agency/NCIC: FDNY | Squad: MTF | Tax Registry No.: 115946

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name_____ Date _____

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY
CRIMINAL COURT

AA-500 (1/08)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed Violation order E331111 item # 1 was not Complied with.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW. AFFIRMED UNDER PENALTY OF PERJURY.

Date: 1/4/2012 Signature: Erwin Santiago

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date _____ Judge _____

(1)

(2)

4332980931

404 43

A-10(B) 10-03

CROSS STREETS

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 331111

325 East 10 Reality LLC

To 325 E 10 ST NY
ADDRESS

Residential / Hotel
TYPE OF OCCUPANCY

NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
	1	In the Interest of public safety provide that the Front Door opens in the direction of travel For Means of egress asper 904.10.6 of FIRE CODE For Hotel.

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POS

NAME OF PERSON WHO RECEIVED THIS ORDER | TITLE | PHONE #

FPI Ervin Santiago 8-06-2011 OFFICE OF Special ENFORCEMENT
INSPECTOR DATE UNIT

Unit Address 1 CENTRE ST RM 1012 N NEW YORK NY 10007 Unit Telephone 212-788-7145

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
1/4/2012	1			✓	✓	Ervin Santiago	MTF/ORT

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # 1 N.C.W.

ADDITIONAL INFORMATION

I personally observed Violation under E 3311 Was not complied with issued SUMMONS #33A8093-1 for non Compliance

Ervin Santiago

1/4/2015 — 1/4/2012

INSPECTOR — DATE — CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF New York

THE PEOPLE OF THE STATE OF NEW YORK V.

325 East 10 Realty LLC Defendant.

CRIMINAL COURT INFORMATION

DOCKET NO. _____

Erwin Santiago, a Peace Officer in the Fire Department of the City of New York, affirms that on 11/4/2012 at 325 East 10 Realty LLC (address) New York (County), State of New York, ("the subject premises") the defendant committed the following offenses (check one):

☐ §15-216 (a) and (b), OR ☒ §15-223.1 (a) and (b), of the NYC Administrative Code predicated upon:

APPLICABLE SECTION OF LAW:	OFFENSE:
A. 15-223.1 A+B	Failed to Comply with Violation
B. _____	order E 331111 item# 1

Defendant committed these offenses under the following circumstances:

On _____ (date), I identified defendant as (indicate) the (Owner | Lessee | Occupant | Manager) of the subject premises based upon (indicate) sign|permit|other documentation|statement. Defendant stated to me he/she was the _____ (indicate) Owner | Lessee | Occupant | Manager) of the subject premises.

COMPLETE SECTION I OR II

FOR IMMEDIATE SUMMONS

I. On the above date and at the subject premises I personally observed defendant (cite specific FACTS to support charge): _____

FOR FAILURE TO COMPLY

II. On the above date and at the subject premises I personally observed that defendant failed to fully comply with Fire Commissioner's Order # E 331111 (a copy of which is annexed), to wit (cite specific FACTS to support charge): I personally observed Violation Order E 331111 item# 1 was not Complied with. Front Doors For Transient use Occupancy (Hotel) Does not open outward towards Means of egress As per 904.10.6 of the Fire Code.

On the _____ day of _____ 20 ___, I personally served an appearance ticket upon: _____ _____
(NAME) (POSITION/TITLE)

MUST COMPLETE AFFIDAVIT OF SERVICE ON BACK OF THIS FORM

FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMAENOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATED: 11/4/2012 STATE OF NEW YORK, COUNTY OF New York

Erwin Santiago

Complainant's Signature

WHERE APPLICABLE - ANSWER ALL QUESTIONS
WHERE NOT APPLICABLE - ANSWER "NOT APPLICABLE" USING LETTERS "N/A"

DESCRIBE THE PHYSICAL CONDITION CAUSING THE VIOLATION. BE SPECIFIC.
I personally observed Door swing of Front Doors Does not open outward For Transient use occupancy (Hotel) "Smart Apartments", For proper Means of egress to Street level in Case of Fire emergency As per Section 904.10.6 of Fire Code

IS THERE ANY SUBSTANCE/EQUIPMENT PRESENT REQUIRING A FIRE DEPARTMENT/OTHER AGENCY PERMIT?	AS/A110/A234 REFERRAL SENT TO (ATTACH COPY OF WHAT WAS FORWARDED):
☐ YES ☐ NO	
SPECIFY: N/A	N/A

DATES AND NUMBERS OF PREVIOUS RELATED NOTICE OF VIOLATIONS / VIOLATION ORDERS / SUMMONSES, IF ANY, AGAINST PERSON OR ENTITY CHARGED (GIVE PARTICULARS):

	VIOLATION/SUMMONS NO.	PARTICULARS	DISPOSITION
1			
2			
3	N/A	N/A	N/A
4			
5			
6			

REMARKS (INDICATE ANY UNUSUAL CIRCUMSTANCES):

N/A

NOTE: *This form is to be forwarded in DUPLICATE, with a single copy of violation order and summons served attached.*

SERVED AND PREPARED BY:	EXAMINED BY:
Ervin Santiago (SIGNATURE)	(SIGNATURE)
Ervin Santiago (PRINT NAME)	(PRINT NAME)
Office of Special Enforcement / NTF (TITLE/ UNIT)	Supervisor (TITLE/ UNIT)
1159464 (TAX REGISTRY NUMBER)	439 (BADGE NUMBER)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924363K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East Realty, LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 429 3R	City: NY	State: NY	Zip code: 10009	
Additional mailing to be sent (agent, care of, other):		License No. (if Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 105 st front	M	01/04/12	C	MTF	VP	03

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II	1082472	5	404	43	MIX C/R	1315667

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☒

Infraction Code	Provision of Law	
B106	1008.1.2.2	Failure to comply with direction of swing: Noted Exit doors at 1 Floor swinging against direction of Egress travel

Remedy: Comply with code

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE T T

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02/23/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

Supervisor's signature _____

ORIGINAL - ECB COPY

34924363K

ECB-PC (Rev. 9/08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924365Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 Realty LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 4293R	City: NY	State: NY	Zip code: 10014
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code	
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist	Code	No.
325 East 10 St FRONT	MN	02/04/12	C	MTF	VP	05

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
FF	1082472	5	404	43	MIX use	1315667

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	903.2.7	Failure to provide an automatic sprinkler system. Mixed Building occupied as a transient use without providing automatic sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02/23/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed ~~under penalty of perjury.~~

Supervisor's signature _____

34924365Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 9-08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924366X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East 10 St Realty LLC				
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 4203R	City: N Y	State: NY	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence		Boro	Date of violation	Type	Dist.	Code	No
325 East 10 St Front		M	01 04 12	C	MIF	VP	06
Construction type	**BIN No.**	**No. of stories**	**Block**	**Lot**	**Occupancy at time of inspection**	**Basis of violation**	
1	1081472	5	404	43	MIX USE	1315667	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☑

Infraction Code	Provision of Law	
B106	907.2.8	Failure to provide fire alarm system. Vacated Building is occupied as a transient use without providing fire alarm

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02 / 23 / 12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: VMO

Supervisor's signature: _____

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: _____
This statement is affirmed under penalty of perjury.

34924366X

ORIGINAL - ECB COPY

ECB-PC (Rev 9-08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924367H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East Realty LLC				
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 325 East 10St	City: NY	State: NY	Zip code: 10009	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	01/04/12	C	MH	UP	07

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1082472	6	404	42	MIXUR	1315666

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	1001.4	Failure to provide required means of Egress from Room or Space. Noted: Building occupied as a transient use without providing required means of Egress

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 02/23/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Rayach. V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924367H

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date 8/6/11	Time 0845	Occupancy 1H	Pct/Boro PBMS	Block/ Lot

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: Complaint

D.B.A ILLEGAL HOTEL		A.P.I.C. POSTED			
Address 325 E 10 ST		Address			
City/State NY NY	Flr.				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.		ID TYPE ____ EXP. ____	
City/State		Phone		# ____	

Buildings Department:	Violations	Summonses	E.C.B. 06	Violation C/W
Fire Department:	Violations 01	Summonses 02	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 01
Summonses: 02
E.C.B.'s: 06
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: GIGLIO, LEVINE, PUJALS SANTIAGO

Violations:

5 DAYS rent to buy

F2B north carolina 1 MALE / 1 female

F2A France (4) 05 days. ROOTS TRAVEL.COM

F3A HOLLAND (3) 6 nights. HOMEAWAY.COM

F4B Long ISLAND (2) 2 nights SMARTAPTS

F4A GERMANY (5) 4 nights "

F5B FRANCE (4) 1 week. ROOTS TRAVEL.COM

F1B FRANCE (2) 2 weeks ROOTS FEELAPARTMENTS / SMARTAPTS

B1 ITALY (2) 1 week NYSTAY.COM

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

080611CMNFVP03 1008.1.2.2 #3492375 8K 9/22/11
080611ZMNFVP02 ZR 22-00 #3492375 7Z "
080611CMNFVP01 28-118.3.2 #3492375 6R "
080611CMNFVP06 28-118.3.2 #3492376 1C "
080611CMNFVP05 907.2.8 #3492376 0J "
080611CMNFVP04 903.2.7 #3492375 9M "

E331111 (1)

404 43

A-10(B) 10-03

CROSS STREETS

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 331111

325 East 10 Realty LLC

To 325 E 10 ST NY
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential / Hotel TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
	1	In the Interest of public safety provide that the front door opens in the direction of travel for means of egress as per 904.10.6 of Fire Code for Hotel.

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano

By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POS

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Ervin Santiago — 8-06-2011 — Office of Special Enforcement

INSPECTOR — DATE — UNIT

Unit Address 1 Centre St Rm 1012N New York NY 10007 — Unit Telephone 212-788-7140

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM	NAME OF INSPECTOR	UNIT
1/4/2012	1			✓	✓	Ervin Santiago	MTF/ost

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # 1 N.C.W.

ADDITIONAL INFORMATION

I personally observed Violation order
E 33|11| Was not Complied with
ISSUED SUMMONS #338098-1
FOR NON Compliance

ERVin Santiago
1/4/2012 1/4/2012

INSPECTOR DATE CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

PRINT ALL ENTRIES · USE BALL POINT PEN · PRESS HARD

AA-500 (1/06) **COMPLAINT/INFORMATION**

432853516-0

The People of The State of New York VS.

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Plate Type: PAS CMT COM OML Other | Make: CHEV FORD HOND DODG OLDS BUICK TOYT NISS Other

Body Type: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM/PM Time: 905 | Date of Offense: 8-06-2011 | County: NY | Precinct: 09

Place of Occurrence: 325 EAST 10STreet

IN VIOLATION OF: 15-223.1 A+B | Sec | Sub | VTL | Traff. Rules | Admin. Code ✓ | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failed to comply with Fire Commissioners Violation order E 299107

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: SAP 2A | County: NY

Located at 100 Leonard ST 10013

Date of Appearance: 9:30 a.m. day of year

Rank/Print Name of Complainant: FPS Erwin Santiago

Complainant's Full Name (printed): ERVIN Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: MTR | Tax Registry No.: 159464

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

YOUR LICENSE AND A DEFAULT JUDGMENT AGAINST YOU.

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed item 1 for Fire Commissioner Violation order E 299107 was not complied with.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

8-06-2011 Date | Erwin Santiago Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date _____ Judge _____

(1)

(2)

4328535160

A-10(B) 10-03

CROSS STREETS
AVENUE A
AVENUE B

CITY OF NEW YORK
FIRE DEPARTMENT
VIOLATION ORDER

BATTALION 1
D.O. MISC.
E 299107

325 EAST 10 REALTY LLC
C/O T&T REALTY MANAGEMENT LLC
433 WEST 14TH ST SUITE 429 3R 10014

To 325 EAST 10TH STREET 10009
ADDRESS

3rd FLOOR (partial) REST
ROOM NO. OR FLOOR — TYPE OF OCCUPANCY

NAME OF OWNER, LEASEE, OCCUPANT, ETC.

11-05-10-8
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		IN THE INTEREST OF PUBLIC SAFETY,
NEW	1	PROVIDE THAT DOOR/S SWING TOWARDS MEANS OF EGRESS AS PER FC 904.10.6 AND FC 1002 LOCATED AT FRONT DOORS TO BUILDINGS (FRONT AND REAR BUILDING)
CW	2	PROVIDE SMOKE DETECTORS THROUGHOUT (DWELLING UNITS) BUILDING AS PER FIRE CODE 907.20.5 & 907.20.6
CW	3	REMOVE DUST COVERS TO SMOKE DETECTORS LOCATED IN STAIRWAY AS PER FIRE 907.20.5 & 907.20.6
CW	4	REMOVE OBSTRUCTION, BLOCKING VIEW OF EXIT SIGNS LOCATED ON 1ST FLOOR AS PER BC 1006.1 FC 801.6
		NOTE: I OBSERVED HANGING LIGHT FIXTURE BLOCKING VIEW. 11-05-10-8

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

SALVATORE CASSANO
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

TERRANCE LOWENBERG — PARTNER — 212-661-2700
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

ANGEL L. CRUZ JR. — POSTED 11/07/2011 11-18-10 — M TF / OSE
INSPECTOR — DATE — UNIT

Unit Address 1 CENTRE ST. RM 1012 NY, NY — Unit Telephone 212-788-7140/3513

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF New York

CRIMINAL COURT INFORMATION

DOCKET NO. _____

THE PEOPLE OF THE STATE OF NEW YORK V.

325 EAST 10 Realty LLC Defendant.

FPI Ervin Santiago, a Peace Officer in the Fire Department of the City of New York, affirms that on 8-06-2011 at 325 E. 10 street (address) New York (County), State of New York, ("the subject premises") the defendant committed the following offenses (check one):

☐ §15-216 (a) and (b), OR ☑ §15-223.1 (a) and (b), of the NYC Administrative Code predicated upon:

APPLICABLE SECTION OF LAW:	OFFENSE:
A. FC F223.1 A+B	FAiled to Comply With Fire Commissioners
B. _____	Violation order E 29907 item 1

Defendant committed these offenses under the following circumstances:
On _____ (date), I identified defendant as (indicate) the (Owner | Lessee | Occupant | Manager) of the subject premises based upon (indicate) sign|permit|other documentation|statement. Defendant stated to me he/she was the _____ (indicate) Owner | Lessee | Occupant | Manager) of the subject premises.

COMPLETE SECTION I OR II

FOR IMMEDIATE SUMMONS

I. On the above date and at the subject premises I personally observed defendant (cite specific FACTS to support charge): _____

FOR FAILURE TO COMPLY

II. On the above date and at the subject premises I personally observed that defendant failed to fully comply with Fire Commissioner's Order # _____ (a copy of which is annexed), to wit (cite specific FACTS to support charge): I personally observed violation ORDER E 29907 item #1 was not complied with.

On the _____ day of _____ 20 ___, I personally served an appearance ticket upon: _____ _____
(NAME) (POSITION/TITLE)
MUST COMPLETE AFFIDAVIT OF SERVICE ON BACK OF THIS FORM

FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMAENOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATED: 8-06-2011 STATE OF NEW YORK, COUNTY OF New York

Ervin Santiago
Complainant's Signature

WHERE APPLICABLE - ANSWER ALL QUESTIONS
WHERE NOT APPLICABLE - ANSWER "NOT APPLICABLE" USING LETTERS "N/A"

DESCRIBE THE PHYSICAL CONDITION CAUSING THE VIOLATION. BE SPECIFIC.
I personally observed Violation ORDER E299107 item # 1 was NOT complied with.

IS THERE ANY SUBSTANCE/EQUIPMENT PRESENT REQUIRING A FIRE DEPARTMENT/OTHER AGENCY PERMIT?	AS/A110/A234 REFERRAL SENT TO (ATTACH COPY OF WHAT WAS FORWARDED):
☐ YES ☐ NO	
SPECIFY: N/A	N/A

DATES AND NUMBERS OF PREVIOUS RELATED NOTICE OF VIOLATIONS / VIOLATION ORDERS / SUMMONSES, IF ANY, AGAINST PERSON OR ENTITY CHARGED (GIVE PARTICULARS):

	VIOLATION/SUMMONS NO.	PARTICULARS	DISPOSITION
1			
2			
3	N/A	N/A	N/A
4			
5			
6			

REMARKS (INDICATE ANY UNUSUAL CIRCUMSTANCES):

N/A

NOTE: *This form is to be forwarded in DUPLICATE, with a single copy of violation order and summons served attached.*

SERVED AND PREPARED BY:	EXAMINED BY:
Ervin Santiago (SIGNATURE)	(SIGNATURE)
ERVIN Santiago (PRINT NAME)	(PRINT NAME)
OFFICE OF special enforcement / NTF (TITLE/ UNIT)	SCI - Staff (TITLE/ UNIT)
1159464 (TAX REGISTRY NUMBER)	Suppression 439 (BADGE NUMBER)

PRINT ALL ENTRIES · USE BALL POINT PEN · PRESS HARD

AA-500 (1/06) **COMPLAINT/INFORMATION**

432853517-1
The People of The State of New York VS

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Plate Type: PAS OMT COM OML Other

Make: CHEV FORD HONDA DODGE OLDS BUICK TOYT NISS Other

Body Type: SEDAN SUBN VAN TRUCK MCY Other | Veh Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM/PM Time: 9:05 ☐ | Date of Offense: 8-06-2011 | County: NY | Precinct: 09

Place of Occurrence: 325 E 10TH STREET

IN VIOLATION OF: 15-223.1 AMB | Sec | Sub | VTL | Traff Rules | Admin Code: X | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failed to Comply with Fire Commissioners Violation order E29908 item #1

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: 5TD 2A | County: NY

Located at 108 Leonard ST 10013

Date of Appearance: 9:30 a.m. day of year

Rank/Full Signature of Complainant: FPI Erwin Santiago

Complainant's Full Name (printed): Erwin Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: MTF | Tax Registry No.: 1159464

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name_____ Date _____

YOUR LICENSE AND A DEFAULT JUDGMENT AGAINST YOU.

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

---

(1) ADDITIONAL INFORMATION (DESCRIBE OFFENSE)

I personally observed violation order E29908 was not complied with item #1

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. I AM A STATE MENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW AND ARE MADE UNDER PENALTY OF PERJURY.

Date: 8-06-2011 Signature: Erwin Santiago

DEFENDANT DESCRIPTION

Eye Color ____ Hair Color ____ Ethnicity ____

Ht. ____ Wt. ____ Phone # ____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date ____ Judge ____

(2)

* 4 3 2 8 5 3 5 1 7 1 *

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF New York

THE PEOPLE OF THE STATE OF NEW YORK V.

325 EAST 10 Realty LLC Defendant.

CRIMINAL COURT INFORMATION

DOCKET NO. _____

FPI Ervin Santiago, a Peace Officer in the Fire Department of the City of New York, affirms that on 8-06-2011 at 325 E 10 street (address) New York (County), State of New York, ("the subject premisee") the defendant committed the following offenses (check one):

☐ §15-216 (a) and (b), OR ☑ §15-223.1 (a) and (b), of the NYC Administrative Code predicated upon:

APPLICABLE SECTION OF LAW:	OFFENSE:
A. FC F-223.1 4+B	FAiled to Comply With Fire Commissioners
B. _____	Violation order E 299108 item# 1

Defendant committed these offenses under the following circumstances:

On _____ (date), I identified defendant as (indicate) the (Owner | Lessee | Occupant | Manager) of the subject premises based upon (indicate) sign|permit|other documentation|statement. Defendant stated to me he/she was the _____ (indicate) Owner | Lessee | Occupant | Manager) of the subject premises.

COMPLETE SECTION I OR II

FOR IMMEDIATE SUMMONS

I. On the above date and at the subject premises I personally observed defendant (cite specific FACTS to support charge): _____

FOR FAILURE TO COMPLY

II. On the above date and at the subject premises I personally observed that defendant failed to fully comply with Fire Commissioner's Order # E 299108 (a copy of which is annexed), to wit (cite specific FACTS to support charge): I personally observed violation ORDER E 299108 item # 1 was not complied with.

On the _____ day of _____ 20 ___, I personally served an appearance ticket upon: _____ _____
(NAME) (POSITION/TITLE)

MUST COMPLETE AFFIDAVIT OF SERVICE ON BACK OF THIS FORM

FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMAENOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATED: 8-06-2011 STATE OF NEW YORK, COUNTY OF New York

Ervin Santiago
Complainant's Signature

WHERE APPLICABLE - ANSWER ALL QUESTIONS
WHERE NOT APPLICABLE - ANSWER "NOT APPLICABLE" USING LETTERS "N/A"

DESCRIBE THE PHYSICAL CONDITION CAUSING THE VIOLATION. BE SPECIFIC.
I personally ob served Violation ORDER 299108 item # 1 was not complied with

IS THERE ANY SUBSTANCE/EQUIPMENT PRESENT REQUIRING A FIRE DEPARTMENT/OTHER AGENCY PERMIT?	AS/A110/A234 REFERRAL SENT TO (ATTACH COPY OF WHAT WAS FORWARDED):
☐ YES ☐ NO	
SPECIFY: N/A	N/A

DATES AND NUMBERS OF PREVIOUS RELATED NOTICE OF VIOLATIONS / VIOLATION ORDERS / SUMMONSES, IF ANY, AGAINST PERSON OR ENTITY CHARGED (GIVE PARTICULARS):

	VIOLATION/SUMMONS NO.	PARTICULARS	DISPOSITION
1			
2			
3	N/A	N/A	N/A
4			
5			
6			

REMARKS (INDICATE ANY UNUSUAL CIRCUMSTANCES):

N/A

NOTE: *This form is to be forwarded in DUPLICATE, with a single copy of violation order and summons served attached.*

SERVED AND PREPARED BY:	EXAMINED BY:
Ervin Santiago	
SIGNATURE	SIGNATURE
ERVIN Santiago	
PRINT NAME	PRINT NAME
OFFICE OF special enforcement / NTF	
TITLE/ UNIT	TITLE/ UNIT
1159464 (TAX REGISTRY NUMBER)	Suppression 439 (BADGE NUMBER)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

Violation No. 34923759M
ENVIRONMENTAL CONTROL BOARD

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Respondent	First name (or entity name): 325 East 10 Realty	Last name: LLC		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14 St Suite 429 3R	City: NY	State: NY	Zip code: 10014
		License No. (If Applicable):	Project Code:	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	08106111	C	MTF	VP	04

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of Inspection	Basis of violation
III	1082472	5	404	43	Mix use	130085

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	903.2.7	Failure to provide an automatic sprinkler system. Noted: Building is occupied as a transient hotel without providing automatic sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ——

If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 / 22 / 11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

2218 (Badge number) MIT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature ——
This statement is affirmed under penalty of perjury.

Supervisor's signature ——

34923759M

ECB-PC (Rev. 9/08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

Violation No. 34923760J
ENVIRONMENTAL CONTROL BOARD

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Respondent	First name (or entity name): 325 East 10 Realty, LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 West 14St Suite 429, 3R	City: NY	State: NY	Zip code: 10014	
		License No. (If Applicable)	Project Code		

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	08106111	C	MTF	VP	05

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II-A	1082472	5	404	43	Mix use	1305085

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed — Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	907.2.8	Failure to provide FIRE alarm system. Noted: Building is occupied as a Transient hotel without providing FIRE alarm

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/22/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34923760J
ECB-PC (Rev. 9/08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34923758K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East Realty	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: ~~325~~ 433 West 14 St Suite 429 3R	City: NY	State: NY	Zip code: 10009	
		License No. (If Applicable)	Project Code		

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	08 10 6 11	C	MTF	VP	03

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TL	1082472	5	404	43	MIXed	1305-085

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☑

Infraction Code	Provision of Law	
B106	1008.1.2.2	Failure to comply with direction of swing. Noted Exit doors at 1Floor swinging against direction of Egress travel

Remedy: Comply with code

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 / 22 / 11 at ☐ ~~8:30~~ AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ ~~**Manhattan,**~~ (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2121 8 Unit Code: M1

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34923758K

ECB-PC (Rev. 9/08)

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct.	Page #
11/18/10	0915	H		

Initial Insp. ☒ Re-Insp. ☐ Investigation ☐ Misc. Stop ☐ Vacate ☐ Closing ☐ S/W ☐

D.B.A TOSHI HOTEL		A.P.I.C N/A	
Address 325 E10 ST		Address	
NY NY	Flr.		
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID
Phone			

Buildings Department:	Violations	Summonses	E.C.B. ~~04~~ 05	Violation C/W
Fire Department:	Violations 07	Summonses	E.C.B.	Violation C/W
Health Department;	Violations	Hearings	E.C.B.	Violation C/W
Police Department;	Sunmonses	Arrests	E.C.B.	
	Violations	Hearings / Summons	E.C.B.	

TOTALS

Violations: 02
Summonses: ____
E.C.B.'s: 05
Hearings: ____

Present: GIGLIO DAVIS CRUZ PUGACH MARCHENSKA

Additional Info Complaint

SWO

111810 CMJFKP04 28-105.1 # 34838136J 1/13/11

111810CMJFVP03 BC 3111.1/27-509 # 34838119H 1/13/11

111810 ZMJFVP02 ZR 2200 # 34838118X 1/13/11

111810CMJFVP01 28-118.3.2 # 34838117Y 1/13/11

111810CMJFVP04 1008.1.2.2 # 34838120P 1/13/11

E 299107 (4)

E 299108 (3)

A-10(B) 10-03

CROSS STREETS
AVENUE A
AVENUE B

CITY OF NEW YORK
FIRE DEPARTMENT

VIOLATION ORDER

BATTALION
D.O. MISC
E 299107

To 325 EAST 10TH STREET 10009
ADDRESS

325 EAST 10 REALTY LLC
C/O TOT REALTY MANAGEMENT LLC
433 WEST 14TH ST SUITE 4F 3R 10014
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR | TYPE OF OCCUPANCY: MULTI DWELLING RENT | ACCOUNT NO.: 11-05-20-8

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		IN THE INTEREST OF PUBLIC SAFETY,
NEW	1	PROVIDE THAT DOOR/S SWING TOWARDS MEANS OF EGRESS AS PER FC 904.10.6 AND FC 1002 LOCATED AT FRONT DOORS TO BUILDINGS (FRONT AND REAR BUILDING)
CW	2	PROVIDE SMOKE DETECTORS THROUGHOUT (DWELLING UNITS) BUILDING AS PER FIRE CODE 907.20.5 & 907.20.6
CW	3	REMOVE DUST COVERS TO SMOKE DETECTORS LOCATED IN STAIRWAY AS PER FIRE 907.20.5 & 907.20.6
CW	4	REMOVE OBSTRUCTION BLOCKING VIEW OF EXIT SIGNS LOCATED ON 1ST FLOOR AS PER BC 1006.1 FC 801.6
		NOTE: I OBSERVED HANGING LIGHT FIXTURE BLOCKING VIEW. 11-05-20-8 FRONT BUILDING

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

SALVATORE CASSANO
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

TORRANCE LOWENBERG — PARTNER — 212-661-2700
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

POSTED 11/07/12-11

ANGEL L. CRUZ JR. — 11-18-10 — MTF/OSE
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST. RM 1012 NY, NY — Unit Telephone 212-788-7140/3513

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
8-06-2011	1			✓	✓	Ervin Santiago	MTF/OSE
8-06-2011	2, 3, 4#	✓				Ervin Santiago	MTF/OSE

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # _____ N.C.W.

ADDITIONAL INFORMATION Issued Summons

Ervin Santiago — INSPECTOR

8-06-2011 — DATE

CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

A-10(B) 10-03

CROSS STREETS
AVENUE A
AVENUE B

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. MISC.

VIOLATION ORDER

E 299108

To 325 EAST 10 STREET 10009 — 325 EAST 10 REALTY LLC c/o J&T REALTY MANAGEMENT LLC 433 WEST 14TH ST 10TH FLR 429 3R 10014

ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — TYPE OF OCCUPANCY: Rest — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		IN the Interest of Public Safety
NEW	1	Provide Fire extinguishers in kitchen area of all dwelling units as per Fire Code 906.1
CW	2	~~Remove obstruction from stairway as per Fire Code 801.6 unit~~
	NOTE:	~~I observed a washer unit on 1st floor stairway.~~
CW	3	~~Provide flame proofing affidavit for wood on walls located first floor as per Fire Code 801.4 and 801.3~~
	NOTE:	I observed wood on walls throughout 1st floor lobby. 11-05-10

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

SALVATORE CASSANO
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

TERRACE LOWENBERG — PARTNER — 212-661-2700
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

POSTED 11/03/2011

ANGEL L. CRUZ JR — 11-18-10 — MTF/OSE
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St. RM 1012 Unit Telephone 212-788-7140/3513

REINSPECTION RECORD

DATE OF INSPECTION	ITEMS NO.	C.W.	PROG.	N.C.W.	SUM.	NAME OF INSPECTOR	UNIT
8-06-2011	1			✓	✓	Ervin Santiago	MTF/OSE
8-06-2011	23	✓				Ervin Santiago	MTF/OSE

ACTION REPORT INSPECTING UNIT

RECOMMENDATION: Order be ☐ Dismissed ☑ Enforced

REASONS: Items # _____ C.W. Items # ✓ N.C.W.

ADDITIONAL INFORMATION ISSUED SUMMONS # 4328533517-1
FOR non compliance of Violation order E299108.

Ervin Santiago 8-06-2011
INSPECTOR DATE CO. COMMANDER • SUPERVISOR

DISPOSITION REPORT — BUR. OF FIRE PREVENTION

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34838120P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 325 East Realty LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 325 East 10 St	City: NY	State: NY	Zip code: 10009	
		License No. (If Applicable)	Project Code		

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
325 East 10 St Front	M	11/18/10	C	MTK	VP	04

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1082472	5	404	43	MIXuse	1290941

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	1008.1.2.2	Failure to comply with direction of swing. noted: Exit doors at 1 Floor swinging against its direction of Egress travel

Remedy: comply with code

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 01/13/11 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Rigack. V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34838120P
ECB-PC (Rev. 9/08)

338 E. 55th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/24/12	1200	IH	017	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: Complaint

D.B.A. ILLEGAL HOTEL		A.P.I.C. N/A POSTED	
Address 338 E55 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 08	Violation C/W
Fire Department:	Violations 06	Summonses 02	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 06
Summonses: 02
E.C.B.'s: 08
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: GIGLIO
LEVINE
DAVIS
PARCHUSKI

Violations:

2F/1M SMART APTS

2B - JUL 16 - AUG 1 THAILAND 3 ADULTS (THAILAND MISSION)

3B 7/15 - 7/25 MEXICO 4 adults (F) SMART APTS

4A ROSA KENIDA, A (SMART APTS) cleaning room.

E360975 (2); E360976 (3); E360977 (1)

072412CMNFKP01 28-118.3.2 # 34980419R 9/13/12

072412CMNFKP02 28-301.1 # 34980420Y

072412CMNFKP05 BC 1020.2/27-369 # 34980423J

072412CMNFKP06 BC 1008.1.2.2 # 34980424L

072412CMNFKP04 BC 907.28 # 34980422H

072412CMNFKP03 28-301.1 # 34980421X

072412CMNFKP08 ZR-22-00 # 34980451R

072412CMNFKP07 BC 1026.10 # 34980450P

8010006357 ©2010, RR Donnelley. All rights reserved. - 0667

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name *(Last, First, MI)*						
Street Address						Apt. No.
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires *(mm/dd/yy)*	Sex		
Date of Birth *(mm/dd/yy)*	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires *(mm/dd/yy)*	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour *(hh:mm)*	Date of Offense *(mm/dd/yy)*	County
1200	7-24-12	NY

Place of Occurrence	Precinct
338 East 55 Street	017

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-223.1 A+B		☐	☒	☐	☐	

Title of Offense: Failure to Comply with Fire Commissioners violation order E360367

Factual Allegations *(describe offense)*:

I personally observed violation order E360367 (item #2) Air conditioning unit blocking Fire escape ACLESS in Apartment 2B and Front doors not swinging outward For transient use occupancy (item 3)

SPRINT #:

Defendant stated in my presence *(in substance)*:

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed *(mm/dd/yy)*
ERVIN Santiago	FF Ervin Santiago	7-24-12

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	54A 2A	NY

Date of Appearance *(mm/dd/yy)* At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403444600

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)	Sex		
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1200	7-24-12	NY

Place of Occurrence	Precinct
338 East 55 street	017

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15216	A+B	☐	☒	☐	☐	

Title of Offense: Obstructed Fire escape Access by air Conditioning unit

Factual Allegations (*describe offense*):

I personally observed an air Conditioning unit obstructing/Blocking the only access to Fire escape in Apartment 3B illegally used As a transient use occupancy Operation

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
Ervin Santiago	FPI Ervin Santiago	7-24-12

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 leonard ST	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403444581

A-10(B) 10-03

CROSS STREETS
1st AVE
2nd AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION 4008
D.O. 93

VIOLATION ORDER

E 360977

To 338 East 55 Street NY 10022
ADDRESS

SMART APARTMENTS
338 East 55 ST Realty LLC
433 E 145 ST Ste 1 10009
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient use occupancy operation / Residential
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide an Approved Manual, Automatic, or Manual and automatic Fire Alarm system where required, For transient use occupancy operation "SMART APARTMENTS", according to building Code, Construction Codes, NFPA 72 and Fire Code as per section 907.2 of the Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger St Marie — Super
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

TF Kevin Santiago — 7-24-12 — Manager OFFICE OF Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St 2nd 1012N New York NY 10007 Unit Telephone 212 788 7400

A-10(B) 10-03

CROSS STREETS
1ST AVE
2ND AVE

CITY OF NEW YORK
FIRE DEPARTMENT

VIOLATION ORDER

BATTALION
D.O. 93
E 360976

To 338 East 55 Street New York 10022
ADDRESS

"SMART APARTMENTS"
338 EAST 55ST Realty LLC
433 E 14 ST NY 10009
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Transient use occupancy / Residential
TYPE OF OCCUPANCY

COSTO
ACCOUNT NO.

(917) 344-1600

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide A Fire Safety director to be on premises AT ALL TIMES For Transient use occupancy operation "SMART APARTMENTS" As per section 401.65.2 OF the Fire Code.
	2	PROVIDE A Fire Safety AND evacuation plan For transient use occupancy operation "SMART APARTMENTS As per section 404.2.1 OF the Fire Code.
	3	Provide a diagram depicting two evacuation routes posted on or immediately adjacent to every required egress door from each HOTEL guest Room As per section 408.8.1 OF the Fire CODE.

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cersaney
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger St Marie — Super
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

IP Eric Santiago — 7-24-12 — Mayor's Office of Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St 2nd FL NY NY 10007 Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
1ST AVE
2nd AVE

CITY OF NEW YORK
FIRE DEPARTMENT

VIOLATION ORDER

BATTALION E008
D.O. 93
E 360975

To 338 East 55 Street New York 10022 (ADDRESS)
SMART APARTMENTS 338 E 55ST Realty LLC 433 E 14 street NY (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)
ROOM NO. OR FLOOR
Residential/Transient use occupancy (TYPE OF OCCUPANCY)
ACCOUNT NO.

HB 344-1600

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of Public Safety:
	1	Remove Air conditioning unit obstructing Fire escape ACCESS in APARTMENT #3B, For proper Means of egress and escape in the event of a Fire emergency as per Section 1027.1 of the Fire CODE For transient use occupancy.
	2	Provide For (2) two Front doors of building being used as transient use occupancy operation, swing outward in the direction of travel For proper Means of egress in the event of a Fire emergency As per 904.10.6 of the Fire Code.

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger St Marie — Super
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

EPI Ervin Santiago — 6/25/12 — Mayors Office of special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST Room 1012N Unit Telephone 212 788-7140
New York NY 10007

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980420Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14 ST SUITE 429 3R.	City: N.Y.	State: N.Y.	Zip code: 10014

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company: ICON REALTY MANAGEMENT LLC			
Mailing address	Number and street: 433 W14 ST SUITE 429 3A	City: N.Y.	State: N.Y.	Zip code: 10014		

License No. (If Applicable)

Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E 55TH ST	M	07/24/12	C	MN	1KP	02

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1039956	5	1347	36	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☒

Infraction Code	Provision of Law	
B155	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE - COMPLIANT MANNER : LACK OF A SYSTEM OF AUTOMATIC SPRINKLERS WHERE REQUIRED PER BC 903.2 ; 27.954. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APTS # 2B & 3B WITHOUT PROVIDING AUTOMATIC SPRINKLER SYSTEM. PREVIOUS VIOL # 34947971X.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DOBROZEWSKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980420Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980421X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company: VCOV REALTY MANAGEMENT LLC		
Mailing address	Number and street: 433 W14ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014	

License No. (If Applicable)

Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E 55TH ST	M	07/24/12	C	MIT	IKP	03

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1039956	5	1347	36	MIXED USE	028

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☒

Infraction Code	Provision of Law	
B189	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE COMPLIANT MATTER: FAILURE TO PROVIDE NUMBER OF REQUIRED MEANS OF EGRESS FOR EVERY FLOOR PER BC 1018.1 & 27.366. NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 2B & 3B WITHOUT PROVIDING TWO MEANS OF EGRESS. PREVIOUS VIOL # 34447973 J.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PROZESKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980421X

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980422H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W14 ST SUITE 429 3R	City: N.Y.	State: N.Y.	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company: ICON REALTY MANAGEMENT LLC		
Mailing address	Number and street: 433 W14 ST. SUITE 429 3R	City: N.Y.	State: N.Y.	Zip code: 10014	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E 55TH ST.	M	07/24/12	C	MN	KP	04.

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1M	1039956	5	1347	36	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☒

Infraction Code	Provision of Law	
B106	BC 907.2.8	FAILURE TO PROVIDE FIRE ALARM SYSTEM.
		NOTED: BLDG OCCUPIED AS TRANSIENT USE
		IN APTS # 2B & 3B WITHOUT PROVIDING
		FIRE ALARM SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARUZEWSKI K.

Badge number: 2|2|2|4 Unit Code: M|T

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980422H

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980424L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as Place of occurrence)	Number and street: 433 W14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company: ICON REALTY MANAGEMENT LLC			
Mailing address	Number and street: 433 W14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014		

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E 55TH ST	M	7/24/12	C	MTF	KP	06

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
IIP	1039956	5	1317	36	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
3106	BC 1008.1.2a	FAILURE TO COMPLY WITH DIRECTION OF SWING. NOTED: BLDG. OCCUPIED AS TRANSIENT USE IN APTS # 2B & 3B MBURG PRIMARY FIRE EXIT DOORS ON FIRST FLOOR LEADING INTO TWO STAGES (INNER & OUTER) SWING AGAINST THE DIRECTION OF EGRESS TRAVEL.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 / 13 / 12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PAROLEWSKI K.

Badge number: 2 2 2 4 — Unit Code: 0 7 T

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980424L

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980423J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name:			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W 14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable):	Construction Activity:		
Name	First name:	Last name:	Company: KOH REALTY MANAGEMENT LLC		
Mailing address	Number and street: 433 W 14 ST SUITE 429	City: NY	State: NY	Zip code: 10014	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E 55TH ST	M	07/24/12	C	MN	KP	05

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
M	1039956	5	1347	36	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
		FAILURE TO PROVIDE UNOBSTRUCTED EXIT
B127	BC 1020.2	PASSAGEWAY. NOTED: APT #3B HAVING
	27-369	OBSTRUCTED ACCESS TO THE FIRE ESCAPE
		STAIRS BY INSTALLED IN DOUBLE HUNG WINDOW WINDOW'S A/C
		UNITS WITH SEALWOOD FRAME INTO THE WINDOW.

Remedy: REMOVE OBSTRUCTION FORTHWITH.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PAROZEWSKI K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980423J

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980450P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 W14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company: ICON REALTY MANAGEMENT LL		
Mailing address	Number and street: 433 W14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014	

License No. (If Applicable):

Construction Activity:

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 E55 TH ST	M	7/24/12	C	MIF	KP	07

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1039956	5	1347	36	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☐ | Class 2: ☒ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B206	BC 1026.10	FAILURE TO PROVIDE SIGN IN SLEEPING ROOMS
		NOTED: BLDG OCCUPIED AS TRANSIENT USE
		IN APT # 3B WITHOUT A DOOR SIGN

SHOWING THE LOCATION WHERE IS POSTED AND THE LOCATION OF EXITS STAIRS ON THE FLOOR.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE 09/04/12

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 9/13/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRAOZEWSKI K.

Badge number: 2 2 2 4 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980450P

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/Lot
6/25/12	1050	1H	PBMS	

Initial Insp. ☐ Re-Insp. ☑ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: Comp

D.B.A. Icoone Hotel		A.P.I.C.	
Address 338 E 55 ST		Address	
City/State NY NY	Flr. All		
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	#

Buildings Department:	Violations	Summonses	E.C.B. 6	Violation C/W
Fire Department:	Violations 4	Summonses 3	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 4
Summonses: 3
E.C.B.'s: 6
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: COVINS DAVIS SANTIAGO PARCZEWSKI

Violations:

#2A 4 people England (6) days

#3A 4 people Boston (5) days SM ART apts 11

#5B - pdnm #5A Australia 2 people 2 weeks

#4A N/A #4B N/A #3B N/A #2B 8 days Colorado – 4 people

#1A N/A #1B N/A

349802721	062512CMTFKP04	B10328 11832	8/9/12
349802731	062512CMTFKP05	B106BC10014	8/9/12
E360369	#1		
E360367	#1, #2, #3		
349802771K	062512CMTFKP08	B155285011 27794	8/16/12
349802781M	062512ZMTFKP09	B205ZR2200	8/16/12
349802791Y	062512CMTFKP10	B106BC90728	8/16/12
349802801	062512CMTFKP11	B106BC1008122	8/16/12

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	4403443722	NO FIRE ALARM DOOR SWING	
B ☐ F ☒ H ☐ PD ☐	4403444362	TRANS. OCCUP OBSTRUCTED EGRESS	
B ☐ F ☐ H ☐ PD ☐	4403444350	NO FIRE SAFETY PLAN NO FIRE SAFETY DIRECTOR	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

1347
36

A-10(B) 10-03

CROSS STREETS
1ST AVE
2ND AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION E008
D.O. 93

VIOLATION ORDER

E 360367

To 338 EAST 55St. NewYork NY 10022 (ADDRESS) — SHAFT APARTMENTS 338 EAST 55ST Realty LLC 433 E 14Street (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

2A,2B,3A,5A (ROOM NO. OR FLOOR) — Residential/Transient use occupancy (TYPE OF OCCUPANCY) — (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety
	1	Discontinue transient use occupancy
		Contrary to department of buildings Records.
NOTE		Certificate of occupancy # 28110 indicates
		Class A Mutiple dwelling, I observed
		transient use occupancy in Apartments
		2A, 2B, 3A, 5A.
	2	Remove obstructions of Air conditioning
		units Beds AND Furniture blocking
		ACCESS TO Fire escape in APARTMENTS
		2A, 3A, 2B, 5A ASper Section 1027.1+1027.3
		OF the Fire CODE.
	3	Provide FOR Front doors TO swing OUTward towards the Direction OF Means of egress ASper BC1008.1.2.2, AND

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED –
Roger ST Marie
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FFI Ervin Santiago — 6-25-12 — Mayors Office of Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 Centre Street Rm 1012N New York NY 10007 — Unit Telephone 212 788-7143

A-10(B) 10-03

CROSS STREETS
1ST AVE
2nd AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION E008

D.O. 93

VIOLATION ORDER

E 360369

To 338 East 555T New York 10022 SMART APARTMENTS 338 EAST555T Realty LLC 493 E 14ST NY.
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

2A,2B,3A,5A — ROOM NO. OR FLOOR
Residential / transient use occupancy — TYPE OF OCCUPANCY
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide an approved manual, automatic, or manual and automatic Fire Alarm system where required for transient use occupancy As per Building Code, construction codes, NFPA 72 and Fire code As per section 907.2 of the Fire Code.
22		

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger ST Marie POSTED
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FF Ervin Santiago — 6-25-12 — Mayors Task Force
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST Room 1012N New York New 10007 — Unit Telephone 212 788 7140

©2010, RR Donnelley. All rights reserved.

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address						Apt. No.
City			State		Zip Code	
ID/License Number		State	Type/Class	Expires (*mm/dd/yy*)		Sex
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1300	6-25-12	NY

Place of Occurrence: 338 EAST 55 Street 10022 — Precinct: 017

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15 223.1 A T B		☐	☒	☐	☐	

Title of Offense: Failure To Comply With Violation Order E365228 item # 1, 2

Factual Allegations (*describe offense*):

I personally observed NO Fire alarm exists For transient use occupancy operation (item #1). I also observed Front doors not opening in direction of travel (outwards) For proper Means of egress (item #2)

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
ERVin Santiago	PAI ErvinSantiago	6-25-12

Agency	Tax Registry #	Command Code
FONY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403443722

3010006337 ©2010, RR Donnelley. All rights reserved. 1667

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address						Apt. No.
City			State		Zip Code	
ID/License Number		State	Type/Class	Expires (*mm/dd/yy*)		Sex
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1300	6-25-12	NY

Place of Occurrence	Precinct
338 East 55 street 10022	017

In Violation of Section / Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-223.1 A + B	☐	☒	☐	☐	

Title of Offense: FAILED TO Comply With Fire Commissioners Violation ORDER E 365227

Factual Allegations (*describe offense*):

I personally observed transient use occupancy throughout building (item #1) operated by "SMART APARTMENTS". I also observed transient use occupancy Room with obstructed access TO Fire Escape (item #2

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
ERVin Santiago	FF Ervin Santiago	6-25-12

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 leonard ST	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403444362

*010000357 ©2010. FIR Donnelley. All rights reserved. - 0007

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)	Sex		
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1300	6-25-12	NY

Place of Occurrence: 338 East 55 Street 10022 — Precinct: 017

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-223.1	A+B		X			

Title of Offense: Failure To Comply With Violation Order E36522a, Items 1, 23

Factual Allegations (*describe offense*):

I personally observed NO Fire Safety plan and evacuation plan For transient use occupancy (item #1). No Fire Safety director on premises For transient use occupancy (item #2). No diagram posted For proper means of egress (item #3).

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
Ervin Santiago	PF Ervin Santiago	6-25-12

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Lemand ST	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403444350

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980277K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 E/45 ST SUITE 429 3R	City: N.Y.	State: NY	Zip code: 10016	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 EAST 55TH ST	M	06/25/12	C	MN	KP	05

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1037756	5	1347	36	MD / TRANSIENT	1325339

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B155	28-301.1	FAILURE TO MAINTAIN BUILDING IN COMPLIANT MANNER: LACK OF A SYSTEM
	27-954.	OF AUTOMATIC SPRINKLERS WHERE

REQUIRED PER BC 903.2; 27-954. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN ~~PARTS~~ # 2A, 3A, 5A WITHOUT PROVIDING AUTOMATIC SPRINKLERS SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ___/___/___

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 08/16/12, at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2224 Unit Code: 017

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980277K

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980279Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 E 14 ST SUITE 429 3R	City: NY	State: NY	Zip code: 10014	

Additional mailing to be sent (agent, care of, other):	License No. (If Applicable)	Construction Activity

Name	First name	Last name	Company
Mailing address	Number and street	City	State / Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 EAST 55TH ST	M	06/25/12	C	MN	KP	10

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1039956	5	1347	36	MD/TRANSIENT	1328028

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106.	BC 907.2.8.	FAILURE TO PROVIDE FIRE ALARM SYSTEM.
		NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APTS # 2R, 3R, 5R WITHOUT PROVIDING FIRE ALARM SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 08/16/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRADZEWSKI K.

Badge number: 2212 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980279Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980280L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 EAST 55 REALTY LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 E 14 ST SUITE 429 3A	City: NY	State: NY	Zip code: 10014

Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity
Name	First name	Last name	Company
Mailing address	Number and street	City	State / Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 EAST 55TH ST	M	06 / 25 / 12	C	MN	14P	11

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1039956	5	1347	36	MD / TRANSIENT	OSE 132 8028

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1008.1.2.2	FAILURE TO COMPLY WITH DIRECTION OF SWING. NOTED: BUILDING OCCUPIED AS APTS # 2A, 3A, 5A AS TRANSIENT USE MAKING PRIMARY EXIT DOORS ON EAST FLOOR LEADING INTO STREET (INNER & OUTER) SWING AGAINST THE DIRECTION OF EGRESS TRAVEL.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 08/16/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2124 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980280L

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
5/1/12	1645	IH	017	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: Compl.

D.B.A Illegal Hotel		A.P.I.C. Roger St Marie (super)			
Address 338 E 55 ST		Address			
City/State NY NY	Flr.				
Corp.		Sex M	Race BLK	Height	Weight
Address		D.O.B.		ID TYPE ____ EXP. ____	
City/State		Phone 347 526 2520		# ____	

Buildings Department:	Violations	Summonses	E.C.B. 06	Violation C/W
Fire Department:	Violations 09	Summonses 01	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 09
Summonses: 01
E.C.B.'s: 06
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: G16C10 Pugach Santiago

Violations:

4A 5 persons (Fragrance) 9 Days
2B 5 persons (Italy) 8 nights 400 per person

AT 5A smell of gas. Engine 8 / Ladder 7 responded and gained access, SHUT GAS. ICOP Realty management notified and Super responded to same apt.

050112CMTFVP06 BC 1509.8 # 34948001V 6/21/12
050112CMTFVP01 28-11832 # 34947970Y 6/21/12
050112CMTFVP02 28-301.1 # 34947971X
050112CMTFVP03 28-301.1 # 34947973J
050112CMTFVP04 ZR 22-00 # 34947974L
E365229 (3); E365228 (2); E365227 (4)
050112CMTFVP05 BC 907.2.8 # 34948000H

A-10(B) 10-03

CROSS STREETS 2nd AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 365228

To 338 East 55 street NY 10022 (ADDRESS) — Smart Apartments 338 East 55 Realty LLC 433 E 14 ST Suite 4 24 3R NY 1004 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR — Residential/Transient use occupancy (TYPE OF OCCUPANCY) — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide An Approved Manual, Automatic, or Manual and Automatic Fire alarm system where required For Transient use occupancy As per Building Code, construction codes, NFPA 72 and the Fire Code As per section 907.20F the Fire code.
	2	Provide For Front Doors to swing open (outward) towards the direction of Means of egress For transient use occupancy /hotel SMART APARTMENTS As per section ~~5000~~ 904.10.6 of the Fire code.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger ST Marie
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

Fabrizio Santiago (INSPECTOR) — 5-1-12 (DATE) — Mayors Office of Special Enforcement (UNIT)

Unit Address 1 Centre street Room 1012N New York NY 10007 — Unit Telephone 212 788-7140

A-10(B) 10-03

CROSS STREETS 2nd AVE / 1ST AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 365229

To 338 East 55 Street NY 10022 — 338 East 55 Realty LLC SMART APARTMENTS 433 E 145T Suite #29312 NY 10014

ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential/Transient use Occupancy — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety.
	1	Provide an approved Fire Safety plan and evaluation plan for transient use occupancy (SMART APARTMENTS) AS per section 404.2.1 Fire Code.
	2	Provide A Fire Safety director to be on premises AT All times For transient use occupancy (SMART APARTMENTS) AS per section 401.6.5.2 OF the Fire Code. NOTE: I observed transient occupants throughout building.
	3	Provide A diagram depicting TWO evaluation routes posted adjacent to every required Means of egress door From each hotel guest Room AS per section 408.8.1 OF the Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger ST Marie — Super
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Ervin Santiago — 5-1-12 — Mayors OFFICE of Special enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 CENTRE ST Room 1012 N New York NY 10007 — Unit Telephone 212 788-7140

A-10(B) 10-03

CROSS STREETS
2nd AVENUE
1ST AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 365227

To 338 EAST 55 St NEW YORK — SMART APARTMENTS 338 EAST 55 ST Realty LLC 433 E 145 ST Suite 429 3RD NY 10014
ADDRESS — NAME OF OWNER, LESSEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — RESIDENTIAL / TRANSIENT USE OCCUPANCY — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety.
	1	Discontinue transient use occupancy
		Contrary to building department Records
		No. 28110 indicating Class A Multiple Dwelling.
		NOTE: I observed transient use occupancy
		in apartments.
	2	Maintain access to Fire escape in apartments
		4A, 2B and 5A Free of obstructions and
		impediments For proper Means of egress
		in the event of a Fire emergency For transient
		use occupancy As per 1027.2 of the Fire code

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Roger ST Marie — Super
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FDERUM Santiago — May 1-2012 — Mayors Task Force of Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 1 CENTRE ST ROOM 1012 N NEW YORK NY 10007 — Unit Telephone 212 788-7143

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name *(Last, First, MI)*						
Street Address						Apt. No.
City			State		Zip Code	
ID/License Number		State	Type/Class	Expires *(mm/dd/yy)*		Sex
Date of Birth *(mm/dd/yy)*	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires *(mm/dd/yy)*	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour *(hh:mm)*	Date of Offense *(mm/dd/yy)*	County
1645	5-1-12	NY

Place of Occurrence	Precinct
338 east 55 street 10022	017

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-216	A+B	☐	☑	☐	☐	

Title of Offense: OBSTRUCTED MEANS OF EGRESS

Factual Allegations *(describe offense)*:

I personally observed Furniture, Bedset Headboard obstructing/blocking ACCESS TO Fire escape in apartments 2B, 4A, 5A used by Transient use occupants in a Residential building.

SPRINT #:

Defendant stated in my presence *(in substance)*:

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed *(mm/dd/yy)*
ERVin Santiago	FFESantiago	5-1-12

Agency	Tax Registry #	Command Code
FDNY	115464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SMP 2A	NY

Date of Appearance *(mm/dd/yy)* — At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

64038637

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34948000H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 East 55 Realty LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 433 E14 St Suite 429 3R	City: NY	State: NY	Zip code: 10014	
		License No. (If Applicable)	Project Code		

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 East 55 St	M	05 10 112	C	HTFVP		05

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1H	1039956	5	1347	36	Mix use	1321796

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide fire alarm system as required. Noted: Apt's #2B L4A occupied as a transient use without providing fire alarm

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 06 / 27 / 12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2118 Unit Code: mt

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34948000H

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34947971X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 East 55 Realty LLC		Last name		
☐ Mailing address (Check if same address as place of occurrence)	Number and street: 433 E 14 St Suite 4293R	City: NY	State: NY	Zip code: 10014	
		License No. (If Applicable)		Project Code	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 East 55 St	M	05/01/12	C	MH	VP	02

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II	1039956	5	1347	36	MIX use	1321396

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below. of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain building in code compliant manner. Lack of a system of automatic sprinklers where required per BC 903.2; 27-954. Having Transient use in apt # 2B & 4A without providing sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 06/21/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34947971X

ECB-PC (Rev. 9/08)

ORIGINAL - ECB COPY

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34947973J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 338 East 55 Realty LLC	Last name			
☐ Mailing address (Check if same address as place of occurrence)	Number and street: 433 E 14 St Suite 429 3R	City: NY	State: NY	Zip code: 10014	
		License No. (If Applicable)	Project Code		

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
338 East 55 St	M	05/01/12	C	MTA	UP	03

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
11	1039956	5	1347	36	Mixed use	1321796

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain building in code compliant manner - failure to provide number of required means of egress for every floor per BC 1018.1 & 27-366 for transient use in apt # 2B & 4A

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties if the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 06/12/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34947973J

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

350 W. 37th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
1/5/12	0830	17	014	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A. ILLEGAL HOTEL		A.P.I.C.	
Address 350 W 37 ST		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 3	Violation C/W
Fire Department:	Violations 7	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Other:	Violations	Summonses	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

Personnel Present: LOVINO GIGLIO DAVIS SANTIAGO PUGACH

TOTALS

Violations: 7
Summonses: _____
E.C.B.'s: 3
Hearings: _____
Vacate # _____
Closing # _____

Violations:

#27C 10 DAYS - ITALY - 5 people #27D-REVM
#26C 1 week - CANADA - 4 people - Smart Apts
#26D N/A

E298943 #1, #2, #3
E298945 #1, #2
E298946 #1, #2
349 24408P 010512AMTEVP17 B18828211 2/23/12
349 24409R 010512AMTEVP18 B26328 2044 2/23/12
349 24374X 010512CMTEVP06 B20128 11832 2/23/12

A-10(B) 10-03

CROSS STREETS
8TH AVE
9TH AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298946

To 346-352 WEST 37 ST 10018 (ADDRESS) — SMART APARTMENTS TOWER 37 LLC (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR — RESIDENTIAL / TRANSIENT USE (TYPE OF OCCUPANCY) — 199 MARCUS AVE. NY 11042 (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1.	Provide an Approved Fire safety and evacuation plan for transient use Hotel "smart apartments" (R-1) occupancy As per section 404.2.1 of the Fire code NOTE: If observed Hotel guest Rooms in apartment 26C and 27C.
	2.	Provide a Fire safety director, For Hotel / transient use occupancy As per 401.6.5.2 of Fire code, To be present and on premises at all times.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

Ervin Santiago (INSPECTOR) — 1/5/2012 (DATE) — OFFICE OF Special enforcement Mayors task force (UNIT)

Unit Address 1 Centre ST RM 1012 N — Unit Telephone 212-788-7140

New York NY 10007

A-10(B) 10-03

CROSS STREETS
8 AVENUE
9 AVENUE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298943

To 346-352 WEST 37 STREET NY10018 (ADDRESS) Tower 37 LLC c/o LALEZARIAN Developers Inc 199 MARCUS AVENUE NY 11042 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

RM 26C, 27C (ROOM NO. OR FLOOR) RESIDENTIAL / transient use (TYPE OF OCCUPANCY) (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide a diagram depicting two evacuation routes posted on or immediately adjacent to every required egress door from each Hotel guest room as per 408.8.1 Fire Code. NOTE: I observed transient use occupancy in apartment 27C and 26C (Hotel "smart apartments").
	2	Provide adequate number of fire extinguishers throughout transient use occupancy "smart apartments" Hotel, Hallways and Hotel guest rooms as per 504.2.2 NFPA 10 of (2007)
	3	Provide adequate number of smoke alarms, smoke detectors throughout building and Transient use occupancy

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER | TITLE | PHONE #

Ervin Santiago (INSPECTOR) | 1/5/2012 (DATE) | OFFICER OF Special enforcement (UNIT)

Unit Address 1 Centre St. 2M1012N New York NY 10007 Unit Telephone 212-788-7149

A-10(B) 10-03

CROSS STREETS
8TH AVE
9TH AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 298945

To 346-352 WEST 37 ST 10018 — SMART APARTMENTS TOWER 37 LLC C/O LALEZARIAN DEVELOPERS INC 199 MARCUS AVENUE LY 11042
ADDRESS — NAME OF OWNER, LESSEE, OCCUPANT, ETC.

APARTMENT 26,27 RESIDENTIAL/TRANSIENT USE
ROOM NO. OR FLOOR — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety.
	1	PROVIDE AND HAVE person Holding certificate OF Fitness For sprinkler system Maintenance POST at Main control valve Area a Mauthly AND detailed record OF inspection relative TO conditions of water supply, Valves, risers, Sprinkler Heads, Fire department Connections, Alarms as per Section 901.6.2.1 of Fire Code
	2	HAVE person or Firm in charge, employed by the owner obtain a certificate of Fitness For the Maintenance of Sprinkler/STANDPIPE System As per 903.5 of Fire Code

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR --NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

Ervin Santiago — 1/5/2012 — OFFICE OF special ENFORCEMENT
INSPECTOR — DATE — UNIT

Unit Address 1 CENTRE ST 2 MIDTN Unit Telephone 212-788-7140
NEW YORK NY 10007

356 W. 39th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date 7/17/12	Time 1445	Occupancy 1H	Pct/Boro 014	Block/ Lot

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LEGAL REQUEST

D.B.A ILLEGAL HOTEL		A.P.I.C. N/A			
Address 356 W 39 ST		Address			
City/State NY NY	Flr.				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____		
City/State		Phone	# _____		

Buildings Department:	Violations	Summonses	E.C.B. 04	Violation C/W
Fire Department:	Violations 08	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 08
Summonses: ____
E.C.B.'s: 04
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: GIGLIO PUGACH SANTIAGO

Violations:

APT M 2 ADULTS (1M 1F) argentina 7/16 - 7/22

E 360040 (2) ; E 360041 (4) ; E 360039 (2)

071712CMVFVP12 28-301.1 # 349803771H 9-6-12

071712CMVFVP14 BC 907.2.8 # 349803791

071712CMVFVP11 28-118.3.2 # 349803761

071712CMVFVP13 28-301.1 # 349803781

A-10(B) 10-03

CROSS STREETS
9th AVE
8th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360041

To 356 West 39 Street NY 10018 (ADDRESS) SMART Apartments Ninth K. Realty LLC 1234 West Broadway NY 11557 (NAME OF OWNER, LEASEE, OCCUFANT, ETC.)

(ROOM NO. OR FLOOR) Residential/transient USE OCCUPANCY (TYPE OF OCCUPANCY) (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide For A Fire Safety director be on premises at all times For transient use occupancy operation "SMART APARTMENTS" As per section 404.6.5.2 of the Fire Code.
	2	Provide For An approved Fire safety plan and evacuation plan For transient use occupancy operation "SMART APARTMENTS" As per section 404.2.1 of the Fire Code.
	3	Repair/Replace All defective Smoke Alarms throughout transient use occupancy operation "SMART APARTMENTS.
	4	Provide A diagram depicting two evacuation routes posted on each hotel guest Room indicating All as per section 408.8.1 of Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on premises

(NAME OF PERSON WHO RECEIVED THIS ORDER) (TITLE) (PHONE #)

FPI Ervin Santiago (INSPECTOR) 7-17-12 (DATE) Mayors Task Force (UNIT)

Unit Address 1 Centre STR M102N Unit Telephone 212 788 7140
New York NY 10007

A-10(B) 10-03

CROSS STREETS
9th AVE
8th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360040

To 356 WEST 39 Street NY 10018 (ADDRESS)

SMART APARTMENTS
NINTH K. Realty LLC
1234 WEST Broadway NY 1155-
(NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR

Residential / Transient use Occupancy
(TYPE OF OCCUPANCY)

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide an approved manual, automatic, or manual and automatic fire alarm system for transient use occupancy operation "SMART APARTMENTS", where required by the construction codes, building codes and Fire ~~department~~ CODE (FC). As per section 907.2 of the Fire code.
	2.	provide adequate/approved emergency illuminated lighting and illuminated exit signs throughout transient use occupancy operation as per section 1011.1 of the building code and section 904.10.6 of the Fire code.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER

TITLE	PHONE #

FPFervin Santiago (INSPECTOR) | 7-17-12 (DATE) | Mayors OFFICE of special ENFORCEMENT (UNIT)

Unit Address 1 CENTRE STREET RM 1012N NEW YORK NY 10007

Unit Telephone 212 788-7140

762
70

A-10(B) 10-03

CROSS STREETS
9th AVE
8th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360039

To 356 WEST 39 Street NY. 10018 SMART APARTMENTS NIATH K. REALTY LLC 1234 WEST Broadway NY 11557
ADDRESS NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR | RESIDENTIAL / transient USE occupancy TYPE OF OCCUPANCY | ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Discontinue transient use occupancy operation "SMART APARTMENTS" Contrary TO department of buildings Records. Certificate of occupancy indicate class "A" APARTMENTS, I observed short-term (less than 30 days) guests occupying building'
	2	Provide Adequate number of Approved type Fire extinguishers throughout Transient use occupancy operation. For class A, B, C Fire potential As per section 5.4.2.2 of NFPA 10 (2007)

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI Irvin Santiago — INSPECTOR
7-17-12 — DATE
Mayors office of special enforcement — TITLE / UNIT
PHONE #

Unit Address 1 Centre Street Room 1012N New York NY 10007
Unit Telephone 212 788 7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980379L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Ninth K Realty LLC				
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: PO Box 297	City: Cedarhurst	State: NY	Zip code: 11516	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
356 West 39 St	M	07/17/12	C	MH	CP	14

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1/2	1013655	6	762	70	MIXuse	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☑ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide fire alarm system. Noted apt # in occupied as a transient use w/o providing fire alarm system

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: _____

This statement is affirmed under penalty of perjury.

34980379L

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980377H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Ninth K Realty LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: PO Box 297	City: Cedarhurst	State: NY	Zip code: 11516	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
356 West 39 St	M	07/17/12	C	MH	4P	12

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TH	1013655	6	762	70	MIX USE	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain building in code compliant manner: lack of a system of automatic sprinklers where required per BC 903.2.1 27-954 noted apt #M occupied as a transient use without providing sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach V

Badge number: 2218 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980377H

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980378J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Ninth K Realty LLC				
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: PO Box 297	City: Cedarhurst	State: NY	Zip code: 11516	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
356 West 39 St	M	07/17/12	C	MTA	VP	3

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
II	1036556	6	762	70	MIX use	28

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain Building in code compliant manner. Failure to provide number of required means of Egress for every floor per BC 1014.1 & 27-366. Note apt # is occupied as a transient use w/o providing required means of egress

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: KYT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980378J

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

406 W. 49th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date 7/17/12	Time 1935	Occupancy 1H	Pct/Boro 018	Block/ Lot

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: Legal Request

D.B.A Illegal Hotel		A.P.I.C.			
Address 406 W49ST		Address			
City/State NYNY	Flr.				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____		
City/State		Phone	# _____		

Buildings Department:	Violations	Summonses	E.C.B. 06	Violation C/W
Fire Department:	Violations 04	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 04
Summonses: ____
E.C.B.'s: 06
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: Giglio Pugach Santiago

Violations:

APT #1 (1ST fl) 7/14-7/19 Drunk 7 ADULTS 1 CHILD

071712CMJFVP15 28-118.3.2 # 34980380Z 9-06-12
071712CMJFVP18 BC 907.2-8 # 34980383Y
071712CMJFVP17 28-301.1 # 34980382M
071712CMJFVP16 28-301.1 # 34980381K
071712ZMJFVP19 ZR 22-00 # 34980384X
071712CMJFVP20 28-105.1 # 34980385H

E 360043 (1); E 360044 (3)

CROSS STREETS
10TH AVE
9TH AVE

CITY OF NEW YORK
FIRE DEPARTMENT

A-10(B) 10-03

BATTALION

D.O.

VIOLATION ORDER

E 360043

To 408 WEST 49 STREET NY 10019
ADDRESS

SMART APARTMENTS
BRIL REALTY CORP
406 WEST 49 ST NY 10019
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

RESIDENTIAL / Transient USE Occupancy
TYPE OF OCCUPANCY

ACCOUNT N

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest OF public Safety:
	1	Provide An Approved Manual, Automatic, or Manual and automatic Fire Alarm System For transient USE occupancy operation "SMART Apartments", where required, by the Construction Codes, Building Codes AND Fire Code As per 907

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commiss

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on Property
NAME OF PERSON WHO RECEIVED THIS ORDER

INSPECTOR	DATE	TITLE	PHONE #
FF Ervin Santiago	7-17-12	Mayor	Task Force

UNIT Special Enforcement

Unit Address 1 Centre Street Room 1012N New York NY 10007

Unit Telephone 212 788 7170

A-10(B) 10-03

CROSS STREETS
10th AVE
9th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION
D.O. 93

VIOLATION ORDER

E 360044

SMART APARTMENTS
BRIZ REALTY CORP
406 WEST 49ST NY 10019

To 406 West 49 Street NY 10019
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential / Transient use occupancy TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
	1	Discontinue Transient use occupancy
		in APARTMENT #1, contrary to Department
		of buildings Records. Certificate of occupancy
		No 108190 indicates class "A" APARTMENTS
		throughout, I observed APARTMENT #1
		RENTED TO transient use / HOTEL guests
		Arranged with SMART Apartments
	2	Provide Adequate number of Fire extinguishers
		For transient use operation "SMART Apartments",
		For class A, B, C Fire potential As per 5.4.2.2 NFPA 10 (2007)
	3	Provide For Front Doors to open in direction of
		Means of egress For transient use operation (outward)

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York. As per section 901.6.b Fire code

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

porter on property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPT Irvin Santiago — INSPECTOR — 7-17-12 — DATE — Mayors Task Force of Special Enforcement — TITLE / UNIT — PHONE #

Unit Address 1 Centre Street RM1012N New York NY 10007 — Unit Telephone 212 788 7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980383Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): BMZ Realty	Last name: Corp			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 406 West 49 St	City: NY	State: NY	Zip code: 10019	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
406 West 49 St	M	07/17/12	C	MTA	VP	18

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1026609	4	1058	37	MIX use	OJE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide fire alarm system. Verified: Apt #1 occupied as a transient use w/o providing fire alarm system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach.C

Badge number: 2121/81 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980383Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980381K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name)	Last name			
☐ Mailing address (Check if same address as place of occurrence)	BMZ Realty Corp				
	Number and street	City	State	Zip code	
	406 West 49 St	NY	NY	10019	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
406 West 49 St	M	07/17/12	C	MTA	VP	16

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TF	1026609	4	1058	37	MIXUSE	DOB

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial

Infraction Code	Provision of Law	Class 1	Class 2	Class 3	Recurring Condition
B155	28-301.1	☑	☐	☐	☐

Failure to maintain Building in code compliant manner. Lack of the System of automatic Sprinklers where required per BC 903.2.27.954 noted apt #1 occupied as a transient use w/o providing sprinkler system

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE / /

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print) Rigach, V

Badge number 2218 Unit Code MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980381K

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980382M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Briz Realty Corp	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 406 West 49 St	City: NY	State: NY	Zip code: 10019	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	License No. (If Applicable)	Construction Activity	
Mailing address	Number and street	City	Company	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
406 West 49 St	M	07/17/12	C	MN	UP	17

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1026609	4	1058	37	MIXED USE	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
13/89	28-301.1	Failure to maintain Building in code compliant manner. Failure to provide number of required means of egress for every floor per BC 1018.1 & 27-366 *Noted: Apt 1 occupied as a transient use without providing required means of Egress

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 04/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Fugach. V

Badge number: 2121/81 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980382M

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

408 W. 49th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/17/12	1935	IH	018	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LEGAL REQUEST

D.B.A ILLEGAL HOTEL		A.P.I.C.		
Address 408 W 49 ST		Address		
City/State NY NY	Flr.			
Corp.		Sex	Race	Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____	
City/State		Phone	# _____	

Buildings Department:	Violations	Summonses	E.C.B. 06	Violation C/W
Fire Department:	Violations 04	Summonses 01	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 04
Summonses: 01
E.C.B.'s: 06
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: GIGLIO PUGACH SANTIAGO

Violations:

APT 4ff. 7/16 - 7/22 FRANCE 6 ADULTS | 1 CHILD

071712CMVFVP26 28-118.3.2 # 349803914 9-06-12

071712CMVFVP24 28-301.1 # 349803891

071712CMVFVP25 28-301.1 # 349803901

071712CMVFVP21 28-105.1 # 349803876

071712CMVFVP22 BC 907.2.8 # 349803872

071712ZMVFVP23 ZR 22-00 # 349803881

E 360042 (3); E 360045 (1)

A-10(B) 10-03

CROSS STREETS
10TH AVENUE
9TH AVENUE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION
D.O.

VIOLATION ORDER

E 360042

To 408 WEST 49ST NY 10019 (ADDRESS)
SMART APARTMENTS
BRIZEMITY Corp
406 WEST 49ST NY 10019 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR
RESIDENTIAL / TRANSIENT USE OCCUPANCY (TYPE OF OCCUPANCY)
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
	1	Discontinue transient use occupancy in apartment # 4 "SMART APARTMENTS" contrary to Department of Buildings Records. Certificate of occupancy No 108190 indicates class "A" Apartments (permanent)
	2	Provide adequate number of Fire extinguishers throughout transient use occupancy operation "SMART APARTMENTS", for class A, B, C Fire potential As per Section 5.4.2.2 of NFPA 10 (2007)
	3	Provide for front doors to open outward in direction of travel for proper means of egress in event of Fire emergency for transient use operation 904.10.6 Fire Code

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on Property
NAME OF PERSON WHO RECEIVED THIS ORDER

FF Edwin Santiago (INSPECTOR) 7-17-12 (DATE) Mayors (TITLE) Task Force (UNIT) (PHONE #)

Unit Address 1 Centre Street NY 10012 New York NY 10007 Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
10th AVE
9th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER

E 360045

To 408 West 49 Street 10019 — SMART APARTMENTS B212 REALTY Corp 406 West 49ST NY 10019
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Residential / Transient use occupancy — ACCOUNT NO.
TYPE OF OCCUPANCY

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety!
	1	Provide an Approved Manual, Automatic, or
		Manual and Automatic Fire Alarm System
		For transient use occupancy operation
		"SMART APARTMENTS", where required, by the
		Construction Codes, Building Codes and Fire
		Code as per 907.2 of Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR–NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER

For Edwin Santiago — 7-7-12 — Mayors — OFFICE OF Special Enforcement
INSPECTOR — DATE — TITLE — UNIT — PHONE #

Unit Address 1 Centre ST Room 1012N New York NY 10007 — Unit Telephone 212 788-7140

601006537 ©2010, RM Donnelley. All rights reserved. - 1667

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name *(Last, First, MI)*						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires *(mm/dd/yy)*	Sex		
Date of Birth *(mm/dd/yy)*	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires *(mm/dd/yy)*	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour *(hh:mm)* 2000	Date of Offense *(mm/dd/yy)* 7-17-12				County NY	
Place of Occurrence 408 West 49 Street 10019					Precinct	
In Violation of Section 15-216 A+B	Subsection	VTL ☐	Admin. Code ☒	Penal Law ☐	Park Rules ☐	Other

Title of Offense: OBSTRUCTED/Blocked Fire escape ACCESS

Factual Allegations *(describe offense)*:

I observed Air Conditioning Unit obstructing/blocking Fire escape access in APARTMENT number 4

SPRINT #:

Defendant stated in my presence *(in substance)*:

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed *(mm/dd/yy)*
ERVin Santiago	PO Ervin Santiago	7-17-12

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SAP 2A	NY

Date of Appearance *(mm/dd/yy)* At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403444477

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980387L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): BMZ Realty corp	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 406 West 49 St	City: NY	State: NY	Zip code: 10019	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
408 West 49 St	M	07/17/12	E	MH	VP	22

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1026609	4	1058	137	Mix use	DOE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☐ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
13106	BC 907.2.8	Failure to provide fire alarm system. Noted: apt #4 occupied as a transient use w/o providing fire alarms

Remedy: DIS continue Illegal

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980387L

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980390M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Briz Realty corp	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 406 West 49 St	City: NY	State: NY	Zip code: 10019	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
408 West 49 St	M	07/17/12	C	MTF	UP	25

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
FH	1026609	4	1058	137	Mix use	OBS

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B15S	28-301.1	Failure to maintain Building in code compliant manner ~~Incomplete~~ Lack of the System of automatic sprinklers where required Per BC 903.2.12.954 Noted apt #4 4FC occupied as a transient use w/o prov. dry Sprinkler System

Remedy: DISCONTINUE ILLEGAL OCCUPANCY

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ ~~8~~:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach V

Badge number: 2121/81 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980390M

ORIGINAL - FOR COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980389P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Briz Realty	Last name: corp			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 406 West 49 St	City: NY	State: NY	Zip code: 10019	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
408 West 49 St	M	07 17 12	C	4TF	VP	24

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TF	1026609	4	1058	137	Mix use	OJE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain Building in a code compliant manner. Failure to provide number of required means of egress for every floor per BC 1008.1.2 27-366 Vsted apt #4 4FL occupied as a "transient" use w/o providing required means of egress

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 06 12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pagan. V

Badge number: 2121/81 Unit Code: VAF

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: _____
This statement is affirmed under penalty of perjury.

34980389P

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

450 Amsterdam Ave.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/Lot
7/19/12	1700	1H	BMN	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LEGAL REQUESTED INSPECTION

D.B.A. Illegal Hotel		A.P.I.C. POJT		
Address 450 Amsterdam Ave		Address		
City/State NY NY	Flr. 35			
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____	
City/State		Phone	# _____	

Buildings Department:	Violations	Summonses	E.C.B. 04	Violation C/W
Fire Department:	Violations 04	Summonses 01	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 07
Summonses: 01
E.C.B.'s: 04
Hearings: ____
Vacate #: ____
Closing #: ____

Personnel Present: GIGLIO, LEVINE, PUGACH, SANTIAGO

Violations:

* APT 3S (SMART APTS) 7/16 - 7/21 FLORIDA 2 ADULTS / 1 CHILD
* APT 2N GERMANY 7-19/7/28 2 ADULTS / 4 children

071912CMNFVP02 28-301.1 # 34980396N 9/6/12
071912CMNFVP03 28-301.1 # 34980397P
071912CMNFVP04 BC 907.2.8 # 34980398R
071912CMNFVP01 28-118.3.2 # 34980395L
E 360959 (1); E 360958 (3); E 360957 (3)

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	4403444556	15-216 A/B	1/4
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # **EXPIRATION:** / /

CERTIFICATE OF OPERATION # **EXPIRATION:** / /

TAX ID #

601000337 ©2010, RR Donnelley. All rights reserved. - 0887

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)		Sex	
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1930	7-19-12	NY

Place of Occurrence	Precinct
450 AMSTERDAM AVE 10024	020

In Violation of Section / Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-216A+B	☐	☒	☐	☐	

Title of Offense: Obstructed Fire escape Means of egress

Factual Allegations (*describe offense*):

I personally observed Fire escape ACCESS Blocked by Furniture in APARTMENT 3S which is USED As a Transient use occupancy operation "SMART APARTMENTS"

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
Ervin Santiago	FF Edwin Santiago	

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403444556

A-10(B) 10-03

CROSS STREETS
W 81 Street
W 82 Street

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360957

SMART Apartments
450 Amsterdam Ave LLC
825 3 Ave Apt 3 NY 10022

To 450 Amsterdam Ave
ADDRESS
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR
Residential / Transient use occupancy
TYPE OF OCCUPANCY
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Discontinue transient use occupancy Contrary
		to Department of Buildings Records.
		Building Records indicate class "A" apartments,
		I observed transient use occupancy operation
		in building.
	2	Remove obstruction of Furniture blocking
		Fire escape access For proper means of
		egress in event of Fire emergency
		As per section 1027.1 of Fire code. (Apt #35)
	3	Provide Adequate number of smoke Alarm/
		Smoke detectors throughout building For transient
		use occupancy "SMART APARTMENTS"

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted on property 615PM
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Ervin Santiago — 7-19-12 — Mayor's Office of Special Enforcement
INSPECTOR — DATE — UNIT

Unit Address 212 718 7140
1 Centre Street Room 1012N
New York New York 10007

Unit Telephone 212 718 7140

A-10(B) 10-03

CROSS STREETS
W 82 ST.
W 83 ST.

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360958

To 450 AMSTERDAM AVE (ADDRESS)
SMART APARTMENTS 450 AMSTERDAM AVE LLC 825 3 AVE APT 37 NY 10022 (NAME OF OWNER, LESSEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR
Residential/Transient use occupancy (TYPE OF OCCUPANCY)
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety
	1	Provide Adequate number of Emergency illuminated lighting For transient use occupancy operation "SMART APARTMENTS" For proper means of egress in the event of a Fire emergency As per 904.10.6 of the Fire Code.
	2	Provide Adequate number of Fire extinguishers For transient use occupancy "SMART APARTMENTS" For class A,B,C Fire potential as per Section 5.4.2.2 of NFPA 10 (2007).
	3	Provide/Install Front doors of Transient use occupancy operation "SMART APARTMENTS" to open in the direction of travel (outward) For proper Means of egress in event of Fire emergency as per 904.10.6 Fire Code.

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property 615PM
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Erwin Santiago (INSPECTOR) — 7-18-12 (DATE) — Mayors Task Force of Special Enforcement (UNIT)

Unit Address 1 CENTRE ST RM 1012 N NEW YORK NY 10007 Unit Telephone 212 788-7140

A-10(B) 10-03

CROSS STREETS
West 81 Street
West 82 Street

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION
D.O. 93

VIOLATION ORDER

E 360959

To 450 Amsterdam Ave NY 10024 (ADDRESS)
SMART APARTMENTS
450 AMSTERDAM AVE LLC
825 3 AVE APT 37 NY 10022 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR
Residential / Transient use occupancy (TYPE OF OCCUPANCY)
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide an approved manual, automatic, or manual and automatic Fire Alarm system for transient use occupancy operation "SMART APARTMENTS", where required by the Construction Codes, Building Codes and Fire Code and NFPA 72 as per section 907.2 of the Fire Code.

If this order has not been complied with in, 10 days of the issuance date, A ~~SUMMONS~~ will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvator Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on property 6:15PM
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI Irvin Santiago (INSPECTOR) 7-18-12 (DATE) Mayors Task Force (TITLE) (PHONE #) Of Special Enforcement (UNIT)

Unit Address 1 Centre Street RM1012N New York NY 10007 Unit Telephone

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980398R
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 450 Amsterdam avenue, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 225 3AV apt 37		City: NY	State: NY	Zip code: 10022
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)	Construction Activity	
Name	First name	Last name		Company	
Mailing address	Number and street		City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence			Boro	Date of violation	Type	Dist.	Code	No.
450 Amsterdam av			M	07/19/12	C	MN	VP	04
Construction type	**BIN**	**No. of stories**	**Block**	**Lot**	**Occupancy at time of inspection**	**Basis of violation**		
TH	1032685	5	1229	34	Mixed use	1329765		

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide fire alarm system. Work at 3S, 2N occupied as a transient use

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2121 Unit Code: MN

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980398R

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980396N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 450 Amstendam avenue, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 825 3AV apt 37	City: NY	State: NY	Zip code: 10022	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
450 Amsterdam av	M	07/19/12	C#	MTF	UP	02

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1032685	6	1229	34	MIXUSE	0SE 1329765

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain Building in code compliant manner. Lack of a system of automatic sprinklers where required per BC 903.2; 27-954. noted: apt 3R occupied as a transient use w/o providing sprinkler system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980396N

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980397P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 450 Amsterdam avenue, LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 8253 AV apt 37	City: NY	State: NY	Zip code: 10022	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
450 Amsterdam av	M	07/19/12	C	MIF	VP	03

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TF	1037685	5	1229	34	MIX RR	O/E 132976S

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to ~~provide~~ maintain building in code compliant manner. Failure to provide number of required means of egress for every floor per BC 1018.1 & 27-366. Legal AP-1283 S occupied as a transient use w/o providing required means of egress

Remedy: Discontinue Illegal Occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE 1 1

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980397P

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

454 W. 57th St.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/31/12	0920	AH/FH	018	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A. Apt Bldg/Illegal Hotel		A.P.I.C.			
Address 454 W 57 st		Address			
City/State NY	Flr.				
Corp.		Sex	Race	Height	Weight
Address		D.O.B.		ID TYPE _____ EXP. _____	
City/State		Phone		# _____	

Buildings Department:	Violations	Summonses	E.C.B. 10	Violation C/W
Fire Department:	Violations 7	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 7
Summonses: ____
ECB's 10
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: DAVIS, Crystal
Santiago, Vanessa

Violations:

#1A - Mexico / 5 people / 7 days / (7-25-8-1)
#2B - Australia / 6 people / 1 month
#4A - Columbia / 3 people / 2 mos / (6-3-8-1) / Smart Arts. Myer Group
#2A - Canada / 4 people / 1 mos
#3B - Holland / 6 people / 4 days / (7-30-8-3) 3 children
#3A - N/A
#4B - N/A
- E360049 #1-3
- E360048 #1-3
- E360047 #1
- 073112CMTFKP16 (28-118.3.2) #34980513 N 9-20-12
17 (1001.4) #34980514 P
18 (28-301.1) #34980515 R

AGENCY	SUMMONS #	DESCRIPTION	COURT DATE
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OCCUPANCY EXPIRATION: / /

TAX ID #

- 073112CMDFRP19 (907.28) #349805162 9-20-12
20 (28-301.1) #349805171K
21 (1008.1.22) #349805184
22 (1011.1) #349805194
23 (1026.10) #349805201
24 (28-301.1) #349805214
25 (28-105.1) #349805222P

A-10(B) 10-03

CROSS STREETS
10th AVE
9th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360047

To 454 WEST 57 ST NewYork
ADDRESS

SMART APARTMENTS New Wildwood LLC 390 Berry ST STE 200 BK
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

1A, 3B
ROOM NO. OR FLOOR

Transient use occupancy
TYPE OF OCCUPANCY

11211
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety
	1	Provide an Approved Manual, Automatic, or
		Manual and Automatic Fire Alarm system for
		transient use occupancy operation "SMART APARTMENTS,"
		where required by the construction codes,
		building codes, Fire Code and NFPA 72 as per
		Section 907.2 of the Fire Code.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR–NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER

TOF Edwin Santiago — INSPECTOR
7-31-12 — DATE
Mayors Task Force on Special Enforcement — TITLE / UNIT
PHONE #

Unit Address 1 Centre St Rm 1012 N New York 10007

Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
10th AVE
9th AVE

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 360049

To 454 West 57 street NY
ADDRESS

"SMART APARTMENTS"
NEW WILDWOOD LLC
390 Berry ST STE 200 BK 11211
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

1A, 3B
ROOM NO. OR FLOOR

Residential / transient use occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
	1	provide for an approved fire safety
		director to be on premises at all times
		for transient use occupancy "SMART APARTMENTS"
		operation as per 401.6.5.2 of Fire Code.
	2	provide for an approved fire safety plan
		and evaluation plan for transient use
		occupancy / HOTEL operation As per 404.2.1 Fire Code
	3	provide A diagram depicting two evacuation
		routes to be posted on or immediately adjacent
		to every required egress door from each hotel
		guest Room As per section 408.8.1 of Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR –NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted a property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI Ervin Santiago — INSPECTOR
7-31-12 — DATE
Mayors OFFICE OF Special Enforcement — TITLE / UNIT
PHONE #

Unit Address 1 Centre ST Rm 1012 N
NEW YORK NY 10007

Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
10 th Ave
9 th Ave

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION _____

D.O. _____

VIOLATION ORDER E 360048

To 454 West 57 St New York — ADDRESS
SMART Apartments New Wildwood, LLC 390 Berry ST STE 205 BK 11211 — NAME OF OWNER, LEASEE, OCCUPANT, ETC.
14, 3B — ROOM NO. OR FLOOR
Transient use occupancy — TYPE OF OCCUPANCY
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety
	1	Provide adequate number of fire extinguishers
		For class A, B, C fire potential throughout building
		For "SMART APARTMENTS" transient use occupancy
		operation as per section 5.4.2.2 of NFPA 10 of (2007)
	2	Provide adequate emergency illuminated
		lighting and exit signs throughout "SMART
		Apartments" transient use occupancy For
		proper means of egress in the event of
		A fire emergency As per section 907.10.6 of Fire Code BC 1011.1 of Building Code
	3	Provide For door swing For two frail doors of
		transient use occupancy operation to open in
		direction of travel (outward) For proper means of egress in event of fire emergency

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR–NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Posted on Property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPT Ervin Santiago — INSPECTOR
7-31-12 — DATE
Mayors Task Force of Special Enforcement — TITLE / UNIT
PHONE #

Unit Address 1 Centre ST 2nd FLOOR NEW York NY 10007
Unit Telephone 212-788 7140

NYC Buildings

NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980516Z
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 390 BERRY ST STE 200	City: BROOKLYN	State: NY	Zip code: 11211

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07131112	C	MDT	KP	19

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	1026873	5	1066	61	MD / TRANSIENT	OSC 1330509

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8.	FAILURE TO PROVIDE FIRE ALARM SYSTEM.
		NOTED: BLDG OCCUPIED AS TRANSIENT
		USE IN APTS # 1A, 3B WITHOUT PROVIDING

FIRE ALARM SYSTEM

Remedy: DISCONTINUE ILLEGAL USE,

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / /

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PANCIERA K.

Badge number: 2224 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980516Z

ORIGINAL - FOR COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980515R
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 390 BEAMY ST STE 200	City: BROOKLYN	State: NY	Zip code: 11211	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07/31/12	C	MN	KP	18

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1026873	5	1066	61	MD / TRANSIENT	1330509

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B155	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE-COMPLIANT MANNER: LACK OF A SYSTEM OF AUTOMATIC SPRINKLERS, WHERE REQUIRED. PER BC 903.2 ; 27-954. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN UNITS # 1A & 3B WITHOUT PROVIDING SPRINKLERS THROUGHOUT FLOORS.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2214 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980515R

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980517K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 390 BERRY ST STE 200	City: BROOKLYN	State: NY	Zip code: 11211	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07/31/12	C	MDT	KP	20

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1026873	5	1066	61	MD / TRANSIENT	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B138	28-301.1	FAILURE TO MAINTAIN BUILDING IN CODE - COMPLIANT MANNER: LACK OF EMERGENCY LIGHTING FOR EXITS, EXIT DISCHARGES AND PUBLIC CORRIDORS. PER BC 1006.1 & 27-542. NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 1A, 3B WITHOUT PROVIDING EMERGENCY LIGHTS THROUGHOUT FLOORS.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI M.

Badge number: 2124 Unit Code: AFT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980517K

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980518M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC.	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 390 BERRY ST. STE 200	City: BROOKLYN	State: NY	Zip code: 11211	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07 13 / 12	C	MN	ICP	21

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
IV	#1026873	5	1066	61	MD/TRANSIENT	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106.	BC 1008.1.2.2.	FAILURE TO COMPLY WITH DIRECTION OF SWING. NOTED: BLDG OCCUPIED AS TRANSIENT USE (MOTEL) W/ APTS @ 1R, 3B WITH PRIMARY EXIT DOOR (LOBBY DOOR) ON FIRST FLOOR LEADING INTO THE STREET SWINGS AGAINST DIRECTION OF EGRESS TRAVEL.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PAROZEWSKI K.

Badge number: 2212 Unit Code: AJT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980518M

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980519Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 390 BERRY ST SUE 200	City: BROOKLYN	State: NY	Zip code: 11211	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07/31/12	C	MN	KP	22

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
14	1026873	5	1066	61	MD/TRANSIENT	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1011.1	FAILURE TO PROVIDE EXIT SIGN WHERE REQUIRED. FOR EXITS & EXIT DOORS. NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 1A, 3B WITHOUT PROVIDING EXIT SIGNS THROUGHOUT FLOORS.

Remedy: DISCONTINUE ILLEGAL OSE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE — / — / —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PRZEWSKI K.

Badge number: 2127 Unit Code: MOT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980519Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980514P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): NEW WILDWOOD LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 340 BERRY ST STE 2W0	City: BROOKLYN	State: NY	Zip code: 11211	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
454 WEST 57TH ST	M	07/31/12	C	MN	KP	17

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
IW	1026873	5	1066	61	MD / TRANSIENT	2908 13305094

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 1001.4.	INADEQUATE EXITS FOR EXISTING STRUCTURES
		FAILURE TO PROVIDE TWO MEANS OF EGRESS
		FROM ROOM OR SPACE WHERE REQUIRED:

NOTED: BLDG OCCUPIED AS TRANSIENT USE IN APTS # 1A & 3B WITHOUT PROVIDING TWO MEANS OF EGRESS.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/20/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DARGEWSKI K.

Badge number: 3 2 2 1 4 | Unit Code: M T

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980514P

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

465 Grand St., Bklyn

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/17/12		AH	050	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A Apt Bldg		A.P.I.C.		
Address 465 GRAND ST		Address		
City/State	Flr. 1, 2, 3			
Corp.		Sex	Race	Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____	
City/State		Phone	# _____	

Buildings Department:	Violations	Summonses	E.C.B. 7	Violation C/W
Fire Department:	Violations	Summonses	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: ____
Summonses: ____
E.C.B.'s: 7
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: DAVIS PARQUET

Violations:

-3FL - NA
-2FL - 1 month / smart Apts
-1FL - 4 days, 3 adults, 1 child from Binghamton 7/15-7/19
34980354P
-071712CMTFKP01 (28-118.3.2) #34980354P 9/10/12
-071712CMTFKP02 (1001.4) #34980364Z
KP11 (903.2.7) #34980365K
K12 (907.2.8) #34980366M
KP13 (1008.1.2.2) #34980367Y
KP14 (1011.1) #34980368X
KP15 (28-105.1) #34980369H

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980366M
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 465 GRAND REALTY INC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 465 GRAND ST	City: BROOKLYN	State: NY	Zip code: 11211

Additional mailing to be sent (agent, care of, other):	License No. (If Applicable)	Construction Activity

Name	First name	Last name	Company
Mailing address	Number and street	City	State / Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
465 GRAND ST	BK	07/17/12	C	HTF	AP	12

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1	3062741	3	2357	32	MIXED USE	USE 3418782

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	FAILURE TO PROVIDE FIRE ALARM SYSTEM
		NOTED; BUILDING OCCUPIED AS TRANSIENT
		USE IN FIRST FLOOR APT WITHOUT

PROVIDING FIRE ALARM SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/10/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCELSKI K.

Badge number: 2124 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]

This statement is affirmed under penalty of perjury.

34980366M

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980367Y
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 465 GRAND REALTY INC	Last name:		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 465 GRAND ST.	City: BROOKLYN	State: NY	Zip code: 11211

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable):
Construction Activity:

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
465 GRAND ST	BK.	07/17/12	C	MN	LP	13

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
4	306274	3	2387	32	MIXED USE	OSE 3418783

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: X | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 1008.1.2.2	FAILURE TO COMPLY WITH DIRECTION OF SWING. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN FIRST FLOOR APT, HAVING PRIMARY EXIT DOOR ON GROUND FLOOR LOBBY INTO STREET SWINGS AGAINST THE DIRECTION OF EGRESS TRAVEL.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/10/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PARCZEWSKI K.

Badge number: 2424 Unit Code: AIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [signature]
This statement is affirmed under penalty of perjury.

34980367Y

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980365K
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 465 GRAND REALTY INC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 465 GRAND ST	City: BROOKLYN	State: NY	Zip code: 11211

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

License No. (If Applicable) | Construction Activity

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
465 GRAND ST	BK	07/17/12	C	MN	KP	11

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
NB	3062741	3	2387	32	MIXED USE	OSC: 3418782

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC 903.2.7	FAILURE TO PROVIDE AN AUTOMATIC SPRINKLER SYSTEM. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APT ON FIRST FLOOR WITHOUT PROVIDING SPRINKLER SYSTEM.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE ___/___/___

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/10/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DAROGWSKI K.

Badge number: 2212 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980365K

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

Violation No. 34980368X

ENVIRONMENTAL CONTROL BOARD

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Respondent	First name (or entity name): 465 GRAND REALTY INC	Last name:			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 465 GRAND ST	City: BROOKLYN	State: NY	Zip code: 11211	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable):	Construction Activity:		
Name	First name:	Last name:	Company:		
Mailing address	Number and street:	City:	State:	Zip code:	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
465 GRAND ST	BK	07/17/12	C	MN	KP	14

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
M1	3062741	3	2387	32	MIXED USE	USE 34/8783

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B106	BC-1011.1	FAILURE TO PROVIDE EXIT SIGN WHERE REQUIRED FOR EXITS AND EXIT DOORS. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN APT ON FIRST FLOOR WITHOUT PROVIDING EXIT SIGNS FOR EXIT

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ——

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/10/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): PAROZEWSKI K.

Badge number: 2424 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980368X

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980364Z
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 465 GRAND REALTY INC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 465 GRAND ST	City: BROOKLYN	State: NY	Zip code: 11211

License No. (If Applicable) | Construction Activity

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
465 GRAND ST	BK	07/17/12	C	NF	KP	10

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	3062741	3	2307	32	MIXED USE	OSE 3478782

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	~~[illegible]~~	INADEQUATE EXITS FOR EXISTING
	BC 1001.4	STAIRWAYS – FAILURE TO PROVIDE TWO
		MEANS OF EGRESS FROM ROOM OR SPACE

WHERE ACQUIRED. NOTED: BUILDING OCCUPIED AS TRANSIENT USE IN PART ON FIRST FLOOR WITHOUT PROVIDING TWO MEANS OF EGRESS.

Remedy: DISCONTINUE ILLEGAL USE.

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ~~[illegible]~~

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/10/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): DARCZEWSKI K

Badge number: 2124 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980364Z

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

536 Madison Ave.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/17/12	1100	1H	PBMS	

Initial Insp. ☑ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LOCAL RSQ

D.B.A Lounge House		A.P.I.C.	
Address 536 Madison Ave		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 4	Violation C/W
Fire Department:	Violations 2	Summonses	E.C.B. 1	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 2
Summonses: ____
E.C.B.'s: 5
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: LOVINO, GIGLIO, PUGLISI, SANTIAGO

Violations:

#4 N/A

#5 Arizona - 5 DAYS - 5 people

#3 3 people - Canada - 3 DAYS

34980345N	071712CMTFVP05	B103281183Z	9/6/12
34980346P	071712CMTFVP06	B155283011	9/6/12
34980347R	071712CMTFVP07	B189283011	9/6/12
34980348Z	071712CMTFVP08	B106BC90728	9/6/12

E360037 #1 E360038 #1

NOV # 1130772Z VC5, VC17

A-10(B) 10-03

CROSS STREETS
LEXINGTON
LEXINGTON

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360038

To 536 Madison Ave 10022 — SMAN Apartments EPlus LLC 521 Madison Ave NY 10022
ADDRESS — NAME OF OWNER, LEASEE, OCCUFANT, ETC.

ROOM NO. OR FLOOR — Residential / transient use occupancy — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety.
	1	Provide an approved manual, automatic or manual and automatic fire alarm system for transient use occupancy operation, where required, according to construction codes; including the building code AND Fire Code as per section 907.2 of the Fire Code.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR -NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Bruno Salva
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Irwin Santiago — 7-17-12 — Mayor Task Force
INSPECTOR — DATE — UNIT

Unit Address 7 Centre Street NY 10007 Unit Telephone 212 788-7400
New York NY 10007

A-10(B) 10-03

CROSS STREETS
L 54
L

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION
D.O. 93

VIOLATION ORDER

E 360037

To 536 Madison AVE 10022
ADDRESS

EPIVSE, LLC 8TH FL
521 MadisonAVE NY 10022
NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Residential/transient use operation
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety
	1	Discontinue transient use occupancy
		operation "SMart APARTMENTS" contrary TO
		department of buildings Records
		Not certificate of occupancy NO 113600
		states Class "A" APARTMENTS (permanent)
		I observed transient use in Apartments
		#3 and #5.

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Bruno Salvo — Manager — Sushi Shop
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FPI Edwin Santiago — 7-17-12 — Mayors office
INSPECTOR — DATE — UNIT

Unit Address 1 Centre St Fam 10128 Unit Telephone
New York NY 10007

~~FDNY~~ Miscellaneous items

For E.U. Use Only: FPIMS Date ___/___/___ Initials ___ Agency Code No. ___

F.P.I.M.S. Account No. 970659517 FP Unit 93 ADMIN. CO. 4004 C.B. # ___ UNIT PHONE # 718 999 1751

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK | **NOTICE OF VIOLATION AND HEARING**

NOV# 11307724Z

11307724Z

Petitioner, New York City Fire Department vs Respondent:

EPIUS, E LLC

Respondent is: ☑ owner ☐ managing agent ☐ tenant ☐ city agency ☐ daycare center

Place of Occurrence (Premises Address)

BLDG 536 Prefix ___ Street Name MADISON

Type AVE Suffix ___ Zip Code 10022 – ___ Boro Code 01 (1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns)

Mailing Address (if different from premises address)

BLDG 521 Prefix ___ Street Name MADISON

Type AVE Suffix ___ Zip Code 10022 – ___ Boro Code 01 (1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns; 6=Out of city)

Add Info/AKA ___

Notice of Violation and Order to Correct and Certify Correction:

PLEASE TAKE NOTICE that the premises cited above is in violation of the requirements of law. It is further ORDERED by the FIRE COMMISSIONER that these violations be corrected and certified to be in compliance with the requirements of law within 35 days of the date of issuance. Certification must be made on the Certificate of Correction (Gold Copy).

The Certificate of Correction and all proof of compliance MUST BE RECEIVED by the Bureau of Fire Prevention. Enforcement Unit, 9 MetroTech Center, Brooklyn, New York 11201-3857 (718) 999-2392 by close of business on 8/21/12 First offenders who properly certify correction will avoid a hearing and penalty. All other respondents must appear at the Environmental Control Board (ECB) hearing indicated below.

Notice of Hearing:

If the Certificate of Correction IS NOT RECEIVED by the date indicated above OR if no date is indicated above, the respondent MUST APPEAR at a hearing on 9/5/12 at ☐8:30am, ☑10:30am, ☐1:30pm, at the ECB Hearing Office located in ☐Brooklyn ☑Manhattan ☐Queens ☐Staten Island ☐ Bronx. (The address for each location is provided on the reverse side of this form.) Proceedings will be held under the authority of Section 1049-a of the NYC Charter and the rules promulgated thereunder. This hearing is your opportunity to answer and defend the allegations set forth below. If you do not appear, you will be held in default and subject to maximum penalties. REPEAT OFFENDERS MUST APPEAR at the hearing on the scheduled date.

Upon investigation, the Fire Department has determined that the above named respondent is in violation of the New York City Administrative Code and/or rules promulgated thereunder with respect to the following requirements (which have been consolidated into violation categories (VC) for enforcement purposes, as set forth in Fire Department rule 3 RCNY §109-02):

☐ **VC 1** **Portable Fire Extinguishers and Fire Hoses** Failed to provide and/or maintain ___ (NUMBER) required (portable fire extinguishers/ fire hoses/other) at ___ (LOCATION).

☐ **VC 2** **Combustible Waste Containers** Failed to provide required container(s) for combustible waste and/or store combustible waste in a container at ___ (LOCATION).

☐ **VC 3** **Permits** Failed to (obtain/renew/possess) a permit for ___ (TYPE OF PERMIT).

☐ **VC 4** **Unlawful Quantity or Location of Regulated Material** (Manufacture/Storage/Handle/Use) ___ (AMOUNT) of ___ (MATERIAL) in violation of permit/quantity/location restrictions.

☑ **VC 5** **Posting of Permits and Recordkeeping** Failed to post a permit and/or (maintain/produce) records for ___ (SPECIFY) at Sprinkler System (LOCATION).

☐ **VC 6** **Signs, Postings, Notices and Instructions** Failed to provide and/or maintain required (signs)(postings)(notices)(instructions) for ___ (TYPE) at ___ (LOCATION).

☐ **VC 7** **Labels and Markings** Failed to provide and/or maintain required label, or other marking for ___ (TYPE) at ___ (LOCATION).

☐ **VC 8** **Accumulation and Removal of Combustible Waste** Failed to timely remove combustible waste and/or allowed the accumulation of combustible waste and/or vegetation at ___ (LOCATION).

☐ **VC 9** **Means of Egress** Failed to provide egress free from obstructions or impediments, and/or failed to maintain required egress at ___ (LOCATION).

☐ **VC 10** **Overcrowding** Failed to limit number of persons in ___ (TYPE OF SPACE) to ___ (NUMBER OF PERSONS) at ___ (LOCATION).

☐ **VC 11** **General Maintenance** Failed to maintain ___ (SPECIFY) in (good working order/clean condition) or in compliance with (general maintenance/ housekeeping) requirements.

☐ **VC 12** **Fire Protection Systems** Failed to provide and/or maintain required ___ (TYPE/DESCRIPTION) at ___ (LOCATION).

☐ **VC 13** **Flame-Resistant Materials** Failed to provide and/or maintain required flame-resistant materials ___ (SPECIFY ITEM) at ___ (LOCATION).

☐ **VC 14** **Fire-Rated Doors and Windows** Failed to (provide/protect/maintain) required (fire-rated/self-closing/access) door or window at ___ (LOCATION).

☐ **VC 15** **Fire-Rated Construction** Failed to provide and/or maintain required fire-rated construction of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 16** **Ventilation** Failed to provide and/or maintain required ventilation ___ (SPECIFY TYPE) at ___ (LOCATION) for ___ (SPECIFY PURPOSE).

☑ **VC 17** **Certificates of Fitness and Certificates of Qualification** Failed to obtain and/or produce required (Certificate of Fitness/Certificate of Qualification) for Sprinkler system (SPECIFY TYPE).

☐ **VC 18** **Certificates of Approval, Certificates of License and Company Certificates** Failed to obtain and/or produce required Certificate of Approval for ___ (TYPE) Certificate of License, or Company Certificate for ___ (TYPE).

☐ **VC 19** **Affidavits, Design and Installation Documents and Other Documentation** Failed to (prepare/produce/submit) required documentation: ___ (DESCRIPTION).

☐ **VC 20** **Inspection and Testing** Failed to conduct required (initial/periodic) inspection or test of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 21** **Portable Containers** Failed to (provide/use) required container for ___ (TYPE) at ___ (LOCATION).

☐ **VC 22** **Stationary Tanks** Failed to provide required stationary tank storage system for ___ (TYPE OF MATERIAL) at ___ (LOCATION).

☐ **VC 23** **Storage Facilities** Failed to provide required storage (cabinets/enclosures/rooms/vaults) at ___ (LOCATION).

☐ **VC 24** **Racks and Shelf Storage** Failed to provide required racks and/or shelf storage, and/or failed to store ___ (TYPE OF MATERIAL/COMMODITIES) at ___ (LOCATION) as required.

☐ **VC 25** **Electrical Hazards** Failed to provide and/or maintain required electrical devices/equipment and/or allowed electrical hazards to exist at ___ (LOCATION).

☐ **VC 26** **Heating and Refrigerating Equipment and Systems** Failed to provide and/or maintain required (heating/refrigerating) system for ___ (TYPE) at ___ (LOCATION).

☐ **VC 27** **Electrical Lighting Hazards** Failed to provide, protect, and/or maintain required lighting devices or equipment at ___ (LOCATION).

☐ **VC 28** **Open Fires, Open Flames and Sparks** Unlawfully (lit/maintained/operated/used/failed to protect) (open fire/open flame/sparking device) at ___ (LOCATION).

☐ **VC 29** **Designated Handling and Use Rooms or Areas** Failed to provide required (room/area) for (handling/use) of ___ (TYPE OF MATERIAL/ACTIVITY) at ___ (LOCATION).

☐ **VC 30** **Fire Safety in Office Buildings/Hotels/Motels** Failed to comply with the fire safety requirements for (office buildings/ hotels/motels). ___ (SPECIFY).

☐ **Repeat Violation (§15-229)** Failed to correct VC(s) ___ (SPECIFY) as previously cited on NOV # ___ (Respondent must appear at the hearing.)

☐ **False Certification (§15-220.1)** Willfully falsified Certificate of Correction for NOV # ___. (Respondent must appear at the hearing.)

☐ **Other Fire Code/Rule Violations** ___ (SPECIFY SECTION) Describe offense below.

Description of Violation: Violation Category 5, 17

SEE supplemental Form For Details.

I personally observed the violations charged above or personally reviewed the office records indicating such violations.

All statements made herein are affirmed/certified under penalty of perjury. Date of Offense: 7/12/12 Time: 1:15 a.m./p.m.

☑ Supplement Attached FP

INSPECTOR'S SIGNATURE Ervin Santiago

Inspector's Identification Number 1115946Y

PRINT NAME ERVIN SANTIAGO

M25-19 H1-912711-11-112

AFFIDAVIT (CERTIFICATE) OF SERVICE (COMPLETE REVERSE SIDE)

ECB COPY

FP Unit 913 Admin CO. L0014

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK	NOTICE OF VIOLATION AND HEARING	VIOLATION NO. 11130772Y

SUPPLEMENTAL INFORMATION FORM

Instructions:
1. Be sure to fill in the Violation Number at the top of this form and complete all of the information at the bottom of the form.
2. Indicate in the Description of Violation section of the Notice of Violation that a "Supplemental Information Form is attached."
3. The original (white copy)of this form shall be attached to the Notice of Violation, and the other copies distributed as indicated below.

Violation Category	Supplemental Information
VC17	Failed to have a person or Firm in charge, employed by the owner obtain a certificate of Fitness For the maintenance of the sprinkler system as per 903.5 of the Fire Code.
VC5	FAILED to have person or Firm holding the certificate of Fitness For the sprinkler system port AT the Main control valve a detailed record of inspection relative to water supply and pressure, valves, pipins, sprinkler heads, Fire department Connections, Alarms, obstructions AS per section 901.6.2.1 of the Fire code

I personally observed the violations indicated on the attached Notice of Violation.
All statements made herein are affirmed/certified under penalty of perjury.

INSPECTOR'S SIGNATURE Ervin Santiago

PRINT NAME Ervin Santiago

Inspector's Identification Number 1151946Y

DATE 7-17-12 TIME 1:15 AM (PM)

DISTRIBUTION

1- ECB copy 2- Respondant copy 3- Fire Department copy

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980348Z
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): F PLUS E, LLC	Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av 8 AV	City: NY	State: NY	Zip code: 10022

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable) / Construction Activity
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
536 Madison av	M	07 / 17 / 12	C	MH	UP	08

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TH	1035745	6	1290	16	mix use	DOF

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☑ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC 907.2.8	Failure to provide fire alarm system - NS 2nd flr #245 occupied as a transient use w/o providing fire alarm system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09 / 06 / 12 at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the [illegible] thereunder. This hearing is your opportunity to [illegible]
Failure to appear [illegible] § 211 of the ECB

Issuing officer's signature [illegible]
I personally observed [illegible] through review of departmental records.
This statement is affirmed under penalty of perjury.

Badge number 2121 Unit Code 181

34980348Z

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980346P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): E plus E, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av 8FL		City: NY	State: NY	Zip code: 10022
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)	Construction Activity	
Name	First name	Last name	Company		
Mailing address	Number and street		City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence			Boro	Date of violation	Type	Dist.	Code	No.
536 Madison av			M	07/17/12	C	MH	UP	06
Construction type	**BIN**	**No. of stories**	**Block**	**Lot**	**Occupancy at time of inspection**	**Basis of violation**		
TU	1035145	5	1290	16	MIXED USE	JE		

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain Building in code compliant manner. Lack of a system of automatic Sprinklers where Required per BC 903.2, 27-954. Noted apt #325 occupied as a transient use w/o providing sprinkler system

Remedy: Discontinue Illegal Occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules governing thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

2218 (Badge number) MIT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980346P

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980347R
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): E Plus E, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av 8FL		City: NY	State: NY	Zip code: 10022
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)		Construction Activity
Name	First name	Last name		Company	
Mailing address	Number and street		City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
536 Madison av	M	07/17/12	C	MN	VP	07

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TH	1035745	5	1290	16	MU/RES	DOB

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☑ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain Building in code compliant manner; Failure to provide number of required of means of egress per every floor per BC 1018.1 & 27-366; Prop'd apt's #2 & 4 occupied as a transient use without providing required means of egress

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE +1

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 816-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held at the location checked above. You must appear on the date specified above for a hearing. If you do not appear, a default decision will be entered against you on the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2218 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature

This statement is affirmed under penalty of perjury.

34980347R

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

663 Lexington Ave.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
7/17/12	0930	1H	PBMS	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LOCAL RSQ

D.B.A Iconoclast Hotel		A.P.I.C.	
Address 663 Lexington Ave		Address	
City/State NY NY	Flr.		
Corp.		Sex	Race / Height / Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. 4	Violation C/W
Fire Department:	Violations 8	Summonses 2	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 8
Summonses: 2
E.C.B.'s: 4
Hearings: ____
Vacate # ____
Closing # ____

Personnel Present: LOUIS GIGLIO SANTIAGO PUGLISI

Violations:

#3 DENMARK - 9 DAYS - 8 PEOPLE - FROM SMART APTS
#5 4 PEOPLE - 1 MORE - FRANCE - SMART APTS
#4 N/A

34980341X	071712CMTFVP01	B10328 11832	9/6/12
34980342H	071712CMTFVP02	B15528 3011	9/6/12
34980343J	071712CMTFVP03	B1P928 3011	9/6/12
34980344L	071712CMTFVP04	B106BC90728	9/6/12

E360031 #1, #2, #3 E360032 #1, #2, #3 E360033 #1, #2

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☑ H ☐ PD ☐	4403444489	OBSTRUCTED EGRESS TO FIRE ESCAPE	
B ☐ F ☒ H ☐ PD ☐	4403444490	FAILURE TO MAINTAIN WINDOW BARS	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # **EXPIRATION:** / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

60101-2357 v2010, HR Donnelley. All rights reserved. 2007

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)	Sex		
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1030	7-17-12	NY

Place of Occurrence	Precinct
663 lexington AVE	018

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15216	A+B	☐	☒	☐	☐	

Title of Offense: OBstructed MEANS of egress ACCESS TO Fire escape

Factual Allegations (*describe offense*):

I personally observed Furniture Bedsets obstructing ACCESS TO Fire escape in APARTMENTS 3 and 5 For transient USE Occupancy operation "SMART Apartments"

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
Ervin Santiago	FO Ervin Santiago	

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 leonard ST 10013	5 AP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403444489

8010000357 ©2010, RR Donnelley. All rights reserved. 1867

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name (*Last, First, MI*)						
Street Address					Apt. No.	
City		State		Zip Code		
ID/License Number	State	Type/Class	Expires (*mm/dd/yy*)	Sex		
Date of Birth (*mm/dd/yy*)	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires (*mm/dd/yy*)	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour (*hh:mm*)	Date of Offense (*mm/dd/yy*)	County
1030	7-17-12	NY

Place of Occurrence	Precinct
663 LEXINGTON AVE 10022	018

In Violation of Section	Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-216 A+B		☐	☒	☐	☐	FC1027.6

Title of Offense: Failure To Maintain Window GATE/BARS in good Working order

Factual Allegations (*describe offense*):

I personally OBSERVED security gate placed over window has a DEFECTIVE unlocking DEVICE in which I couldn't release/open lock TO gain access TO Fire escape in APARTMENT 3 For Transient USE Operation

SPRINT #:

Defendant stated in my presence (*in substance*):

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed (*mm/dd/yy*)
ERVIN Santiago	FPI Ervin Santiago	7-17-12

Agency	Tax Registry #	Command Code
FDNY	115 9464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard Street 10013	SAP 2A	NY

Date of Appearance (*mm/dd/yy*) At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY

4403444490

CROSS STREETS
E 56 ST
E 55 ST

CITY OF NEW YORK
FIRE DEPARTMENT

VIOLATION ORDER

A-10(B) 10-03

BATTALION

D.O. 97

E 360033

To 663 LEXINGTON AVE 10022 (ADDRESS)
SMART APARTMENTS 663 LEXINGTON AVE LLC 521 MADISON AVE NY 10022 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR
RESIDENTIAL / TRANSIENT USE OCCUPANCY (TYPE OF OCCUPANCY)
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide a Fire Safety director to be on premises AT All times For SMART APARTMENTS transient use operation As per Section 404.6.5.2 of the Fire CODE.
	2	Provide An Approved Fire Safety plan AND evacuation plan For transient use operation TO be Kept AT location AT All times As per section 404.2.1 of the Fire CODE.

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER

TITLE	PHONE #
Mayors OFFICE OF special ENFORCEMENT	

FPT Irvin Santiago (INSPECTOR) 7-16-12 (DATE)

Unit Address 1 CENTRE ST Room 1012N New York NY 10007 Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
E 56 ST
E 55 ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 360032

To 663 Lexington AVE 10022 (ADDRESS)
SMART APARTMENTS
663 LEXINGTON AVE LLC
521 Madison 8FL NY 10022
(NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

(ROOM NO. OR FLOOR)
Residential / Transient USE occupancy (TYPE OF OCCUPANCY)
(ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest OF public Interest
	1	Provide An Approved Manual, Automatic, or
		Manual AND Automatic Fire Alarm system
		For transient use occupancy operation (SMART APARTMENTS
		where required by the construction Codes,
		Building codes AND Fire Codes As per 907.2 OF Fire Code
	2	Provide An Approved type Fire extinguisher
		For Each transient use / HOTEL guest Room,
		For class A, B, C Fire potential As per section
		5.4.2.2 OF NFPA 10 OF (2007)
	3	provide a diagram depicting (Indicating
		emergency routes) posted in each transient
		use occupancy / HOTEL guest Rooms as per 408.8.1 Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
(NAME OF PERSON WHO RECEIVED THIS ORDER)

FPI ERVIN Santiago (INSPECTOR) 7-16-12 (DATE) Mayors (TITLE) OFFICE OF Special ENFORCEMENT (UNIT) (PHONE #)

Unit Address 1 Centre ST Room 1012N Unit Telephone 212 788-7140
New York NY 10007

A-10(B) 10-03

CROSS STREETS
E 56ST
E 55ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E.360031

To 663 LEXINGTON AVE 10022 — SMART APARTMENTS 663 LEXINGTON AVE LLC 521 MADISON AVE 8TH FLNY 10022
ADDRESS — NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — RESIDENTIAL/TRANSIENT USE OCCUPANCY — TYPE OF OCCUPANCY — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety.
	1	Repair/Replace Bar/grill/grate device leading
		to fire escape in APARTMENT #3 AND properly
		secure that the grill device is operational
		from the inside of the room without using
		keys or tools as per section 1025.4 of the FIRE CODE.
	2	Provide A Certificate of Approval
		for installation of BARS, grills, grates
		placed over Emergency escape and Rescue
		openings leading unto Fire escape As
		per section 1025.5 of the Fire Code.
	3	Remove obstructions of Furniture, beds blocking
		ACCESS TO Fire escape in APARTMENTS 3 AND 5

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York. AS PER SECTION 1029.1 OF FIRE CODE

TO 25 FOR NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER

FFERVin Santiago — INSPECTOR
7-17-12 — DATE
Mayors OFFICE OF special ENFORCEMENT — TITLE / UNIT
PHONE #

Unit Address 1 CENTRE STREET ROOM 1012N NEW YORK NY 10007
Unit Telephone 212 788-7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980344L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 663 lexington ave LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison ave 8Fl	City: NY	State: NY	Zip code: 10022	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
663 lexington ave	M	07/17/12	C	MTF	VP	04

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1036513	4	1310	21	Mixed	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B106	BC907.2.8	Failure to provide fire alarm system noted: apt #3L5 occupied as a transient use w/o providing fire alarm system

Remedy: D1 Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buillding Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ~~☐~~ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Ruggiero V

2121181 (Badge number) KM17 (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature

This statement is affirmed under penalty of perjury.

34980344L

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980342H
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 663 Lexington ave, LLC		Last name		
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av 8 Fl	City: NY	State: NY	Zip code: 10022	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
663 Lexington av	M	07/17/12	C	MH	VP	02

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TFC	1036513	4	1310	21	MIX use	28-201.1

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain Building in code compliant manner: Lack of a system of automatic sprinklers where required per BC 903.2; 27-954. Noted apt # 3 & 5 occupied as a transient use w/o providing Sprinkler System

Remedy: discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn,** (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island,** (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

Badge number: 2121189 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

34980342H

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980343J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 663 lexington ave,	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av 8FL	City: NY	State: NY	Zip code: 10022	

Additional mailing to be sent (agent, care of, other):

Name	First name	Last name	Company	License No. (If Applicable)	Construction Activity
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
663 lexington av	M	07/17/12	C	HAFUP		03

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
III	1036513	4	1310	21	MIX use	OSE

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain Building in code compliant manner: Failure to provide number of required means of egress per Every floor per BC 1018.1 & 27-366 Noted DOB's #325 occupied as a transient use without providing required means of egress

Remedy: Discontinue Illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE ____/____/____

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☒ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Rajack. V

Badge number: 2121/8 Unit Code: MT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____

This statement is affirmed under penalty of perjury.

34980343J

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

808 Driggs Ave., Bklyn

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/ Lot
11/2/11	0820	1H	090	

Initial Insp. ☐ Re-Insp. ☒ Invest. ☐ Vacate ☐ Closing ☐ Other ☐ Specify: _____

D.B.A Iceberg House		A.P.I.C. DURRAD, TRISTAN BRUCE			
Address 809 Driggs Ave		Address 190 S. 8TH ST #15			
City/State Brooklyn NY	Flr. ALL	Brooklyn NY			
Corp. TOSHI / SMART APTS		Sex M	Race W	Height	Weight
Address		D.O.B. 8/30/81		ID TYPE NYID EXP. _____	
City/State		Phone 347-554-3379		# 294 794 496	

Buildings Department:	Violations	Summonses	E.C.B. 4	Violation C/W
Fire Department:	Violations 8	Summonses 2	E.C.B. 1	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 8
Summonses: 2
E.C.B.'s: 5
Hearings: _____
Vacate # _____
Closing # _____

ENTRY CODE #3364 . Personnel Present: McGOFF LEVINE GIGLIO DAVIS SANTIAGO PUGACH

Violations:

REAR TOWN: #4F, #5E, #3B, #3E, #2D

#1C (1 WEEK / 3 PEOPLE SWITZERLAND) #4C (1 WEEK / SWEDEN 6 PEOPLE)

#1B (1 WEEK / FRANCE 7 PEOPLE) #6B (1 WEEK / BELGIUM 5 PEOPLE)

#6E (1 WEEK / FRANCE 4 PEOPLE) #5B (1 WEEK / RUSSIA 2 PEOPLE) #4C (1 WEEK / SWITZERLAND 4 PEOPLE)

#4B (1 WEEK / GERMANY 3 PEOPLE) #3C (2 WEEKS / NEW ZEALAND 4 PERSON)

CELLAR: LAUNDRY ROOM OPERATING WITH APPARENTLY UNPERMITTED WORK - SWO ISSUED

APPROACHED BY M/A ID AS ROBERT CHAN DOB 8/31/63 NY ID# 927 285 503 - ASKED FOR NYPD ID'S - COMPLIED - STATED HE WOULD PROVIDE ANY DOCUMENTS NEEDED FOR OUR INVESTIGATION

3 4924095N	110211CMTFVP01	B10328 11832	12/19/11
3 4924096P	110211CMTFVP02	B106BC1008122	12/19/11
3 4924097R	110211CMTFVP03	B10128 1051	12/19/11

→

AGENCY	SUMMONS #	DESCRIPTION	RETURN DATE
B ☐ F ☒ H ☐ PD ☐	433295856-1	FAIL TO MAINT. FIRE ALARM	
B ☐ F ☒ H ☐ PD ☐	433295857-3	FAIL TO HAVE AFSE SAFETY DIR	
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			
B ☐ F ☐ H ☐ PD ☐			

Additional Information :

(IF APPLICABLE)

LIQUOR LICENSE # EXPIRATION: / /

CERTIFICATE OF OPERATION # EXPIRATION: / /

TAX ID #

34924098Z 1102110MTFVP04 B127BC/0202273G9 12/19/11

E316252 #1, #2, #3, #4

E316251 #1, #2, #3, #4

NOV # 1127944N VC5, VC9, VC12, VC17 12/20/11

PRINT ALL ENTRIES · USE BALL POINT PEN · PRESS HARD

AA-500 (1/06) COMPLAINT/INFORMATION

433295856-1

The People of The State of New York VS.

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth (MO DAY YR) | Sex

Lic. State | Lic. Class or ID Type | Date Expires (MO DAY YR) | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires (MO DAY YR)

Plate Type: PAS OMT COM OML Other

Make: CHEV ECON HOND DODG OLDS BUICK TOYT NISS Other

Body Code: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM ☑ Time 9:45 PM ☐ Date of Offense 11-02-2011 | County BN | Precinct 90

Place of Occurrence 808 DRIGGS AVENUE 11211

IN VIOLATION OF 15-216 A+B

Sec | Sub | V.T.L. | Traff. Rules | Admin. Code X | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failed TO Maintain Firealarm System

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part SAP 24 | County NY

Located at 108 Leonard ST

Date of Appearance 9:30 a.m. day of year

Print/Full Signature of Complainant FPI Erwin Santiago

Complainant's Full Name (printed) ERVIN Santiago | Command Code DSE

Agency/NCIC FDNY | Squad DSE | Tax Registry No. 1159464

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

YOUR LICENSE AND A DEFAULT JUDGMENT AGAINST YOU.

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

AA-500 (1/06)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed Fire alarm system in defective condition at time of Inspection.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW, AFFIRMED UNDER PENALTY OF PERJURY.

11-02-2011 Erwin Santiago

Date | Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date | Judge

(1)

433295856 1

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF Kings

CRIMINAL COURT INFORMATION

DOCKET NO. _____

THE PEOPLE OF THE STATE OF NEW YORK V.

DRIGGS 808 LLC Defendant.

ERVin Santiago, a Peace Offices in the Fire Department of the City of New York, affirms that on 11-2-2011 at 808 DRIGGS AVE (address), Kings (County), State of New York, ("the subject premises") the defendant committed the following offenses (check one):

☑ §15-216 (a) and (b), OR ☐ §15-223.1 (a) and (b), of the NYC Administrative Code predicated upon:

APPLICABLE SECTION OF LAW	OFFENSE
A. FC907.20.5	Failed to Maintain Fire alarm system
B.	

Defendant committed these offenses under the following circumstances:

On _____ (date), I identified defendant as (indicate) the (Owner | Lessee | Occupant | Manager) of the subject premises based upon (indicate) sign|permit|other documentation|statement. Defendant stated to me he/she was the _____ (indicate) Owner | Lessee | Occupant | Manager) of the subject premises.

COMPLETE SECTION I OR II

FOR [illegible] SUMMONS

I. On the above date and at the subject premises I personally observed defendant (cite specific FACTS to support charge): I personally observED trouble signal on REMOTE Annunciator and Communications impairment FOR Fire ALARM system aT TOSHI HOTEL/SMART APARTMENT.

FOR FAILURE TO COMPLY

II. On the above date and at the subject premises I personally observed that defendant failed to fully comply with Fire Commissioner's Order #_____ (a copy of which is annexed), to wit (cite specific FACTS to support charge): _____

On the _____ day of _____ 20 ___, I personally served an appearance ticket upon: _____ _____
(NAME) (POSITION/TITLE)

MUST COMPLETE AFFIDAVIT OF SERVICE ON BACK OF THIS FORM

FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMAENOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATED: 11-2-2011 STATE OF NEW YORK, COUNTY OF Kings

Ervin Santiago
Complainant's Signature

WHERE APPLICABLE - ANSWER ALL QUESTIONS
WHERE NOT APPLICABLE - ANSWER "NOT APPLICABLE" USING LETTERS "N/A"

DESCRIBE THE PHYSICAL CONDITION CAUSING THE VIOLATION. BE SPECIFIC.

I personally observed REMOTE annunciator indicating COMMUNICATIONS impairMENT FOR Fire alARM panEL. (TROUBLE signaL)

IS THERE ANY SUBSTANCE/EQUIPMENT PRESENT REQUIRING A FIRE DEPARTMENT/OTHER AGENCY PERMIT?	AS/A110/A234 REFERRAL SENT TO (ATTACH COPY OF WHAT WAS FORWARDED):
☐ YES ☐ NO	
SPECIFY: N/A	N/A

DATES AND NUMBERS OF PREVIOUS RELATED NOTICE OF VIOLATIONS / VIOLATION ORDERS / SUMMONSES, IF ANY, AGAINST PERSON OR ENTITY CHARGED (GIVE PARTICULARS):

	VIOLATION/SUMMONS NO.	PARTICULARS	DISPOSITION
1			
2	N/A	N/A	N/A
3			
4			
5			
6			

REMARKS (INDICATE ANY UNUSUAL CIRCUMSTANCES):

illegal HotEL operated in class "A" APARTMENTS (CO number) 3100892O3F.

NOTE: *This form is to be forwarded in DUPLICATE, with a single copy of violation order and summons served attached.*

SERVED AND PREPARED BY:	EXAMINED BY:
Ervin Santiago	
SIGNATURE	SIGNATURE
ERVIN Santiago	
PRINT NAME	PRINT NAME
OFFICE OF special enforcement / NTF	SCI - Supervisor
TITLE/ UNIT	TITLE/ UNIT
1159464	439
TAX REGISTRY NUMBER	BADGE NUMBER

PRINT ALL ENTRIES • USE BALL POINT PEN • PRESS HARD

AA-500 (1/06) COMPLAINT/INFORMATION

433295857-3

Susp/Rev Check ☐ Yes No ☐
Motorist Exhibited License ☐ Yes No ☐

The People of The State of New York VS.

Last Name | First Name | M.I.

Street Address | Apt. No.

City | State | Zip Code

ID Number | Date of Birth MO DAY YR | Sex

Lic. State | Lic. Class or ID Type | Date Expires MO DAY YR | Operator Owns Vehicle ☐ Yes No ☐

OPERATOR AND/OR OWNER OF VEHICLE BEARING LICENSE

Plate No. | State: NY CT PA NJ Other | Reg. Expires MO DAY YR

Plate Type: PAS OMT COM OML Other | Make: CHEV FORD HONDA DODG OLDS BUICK TOYT NISS Other

Body Type: SEDAN SUBN VAN TRUCK MCY Other | Veh. Yr. | Veh. Color | Alternate Plate | State

VIN No.

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

AM PM Time: 9:30 | Date of Offense: 11-2-2011 | County: KN | Precinct: 90

Place of Occurrence: 808 Gates AVENUE 11211

IN VIOLATION OF: 15.216 A+B | Sec | Sub | V.T.L. | Traff. Rules | Admin. Code | Penal Code | Other

Description of Violation, if Not Shown Below. (If returnable to Criminal Court, indicate Court Location and Date of Appearance below and COMPLETE, DATE, AND SIGN INFORMATION ON REVERSE SIDE.)

Failure TO HAVE Fire Safety director on duty AT TIME OF Inspection.

SPEEDING: MPH | In MPH Zone

DISOBEY TRAFF CONT DEV: ☐ Sign ☐ Signal Pave Marks ☐

Uninspec. Veh. | Unreg. Veh. | Unlic. Oper. | Uninsur. Veh. | Com. Veh. | Bus | Haz. Mat.

The person described above is summoned to appear at CRIMINAL COURT | Summons Part: JAP 24 | County: NY

Located at 108 Leonard ST 10013

Date of Appearance 9:30 a.m. day of year

I personally observed the commission of the offense charged above. False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law. Affirmed under penalty of perjury.

Rank/Full Signature of Complainant: PI Erwin Santiago

Complainant's Full Name (printed): Erwin Santiago | Command Code: 05E

Agency/NCIC: FDNY | Squad: MTF | Tax Registry No.: 115944

I acknowledge receipt of this summons. I understand it is my responsibility to read and comply with the instructions on my copy, and that my signature below is not an admission of guilt.

Name _____ Date _____

YOUR LICENSE AND A DEFAULT JUDGMENT AGAINST YOU.

NYS DEPT. OF MOTOR VEHICLES - TRAFFIC VIOLATIONS BUREAU
MOTORIST COPY

CRIMINAL COURT

AA-500 (1/06)

CRIMINAL COURT INFORMATION (DESCRIBE OFFENSE)

I personally observed Hotel Occupancy without Fire Safety Director on premises or on duty.

WARRANT CHECK ☐ Yes ☐ No

I PERSONALLY OBSERVED THE COMMISSION OF THE OFFENSE CHARGED HEREIN. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW. AFFIRMED UNDER PENALTY OF PERJURY.

11-02-2011 / Erwin Santiago

Date Signature

DEFENDANT DESCRIPTION

Eye Color _____ Hair Color _____ Ethnicity _____

Ht. _____ Wt. _____ Phone # _____

ARRAIGNMENT

Defendant pleads ☐ Guilty ☐ Not Guilty

Date Judge

(1)

4332958573

CRIMINAL COURT OF THE CITY OF NEW YORK
COUNTY OF Kings

CRIMINAL COURT INFORMATION

DOCKET NO. _____

THE PEOPLE OF THE STATE OF NEW YORK V.

DRIGGS 808 LLC Defendant.

ERVIN Santiago, a Peace Officer in the Fire Department of the City of New York, affirms that on 11-2-2011 at 808 DRIGGS AVE (address), Kings (County), State of New York, ("the subject premises") the defendant committed the following offenses (check one):

☑ §15-216 (a) and (b), OR ☐ §15-223.1 (a) and (b), of the NYC Administrative Code predicated upon:

APPLICABLE SECTION OF LAW:	OFFENSE:
A. FC 401.6.5.2(1)	Failed TO HAVE Fire Safety director
B. _____	present FOR TOURIST HOTEL AT TIME OF Inspection.

Defendant committed these offenses under the following circumstances:

On _____ (date), I identified defendant as (indicate) the (Owner | Lessee | Occupant | Manager) of the subject premises based upon (indicate) sign|permit|other documentation|statement. Defendant stated to me he/she was the _____ (indicate) Owner | Lessee | Occupant | Manager) of the subject premises.

COMPLETE SECTION I OR II

FOR [illegible] SUMMONS

I. On the above date and at the subject premises I personally observed defendant (cite specific FACTS to support charge): I personally observed Transient use Hotel with no Fire Safety director on duty at time of Inspection.

FOR FAILURE TO COMPLY

II. On the above date and at the subject premises I personally observed that defendant failed to fully comply with Fire Commissioner's Order #_____ (a copy of which is annexed), to wit (cite specific FACTS to support charge): _____

On the _____ day of _____ 20 ___, I personally served an appearance ticket upon: _____ _____
(NAME) (POSITION/TITLE)

MUST COMPLETE AFFIDAVIT OF SERVICE ON BACK OF THIS FORM

FALSE STATEMENTS HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

DATED: 11-2-2011 STATE OF NEW YORK, COUNTY OF Kings

Ervin Santiago
Complainant's Signature

WHERE APPLICABLE - ANSWER ALL QUESTIONS
WHERE NOT APPLICABLE - ANSWER "NOT APPLICABLE" USING LETTERS "NA"

DESCRIBE THE PHYSICAL CONDITION CAUSING THE VIOLATION. BE SPECIFIC.

I personally observed TRANSIENT USE HOTEL "TOSHI HOTEL/SMART APARTMENTS" WITHOUT Fire Safety director present. Building Had DEFECTIVE Fire alarm system as per signal on Fire Alarm annunciator.

IS THERE ANY SUBSTANCE/EQUIPMENT PRESENT REQUIRING A FIRE DEPARTMENT/OTHER AGENCY PERMIT?	ASA116/A234 REFERRAL SENT TO (ATTACH COPY OF WHAT WAS FORWARDED)
☐ YES ☐ NO	
SPECIFY: N/A	N/A

DATES AND NUMBERS OF PREVIOUS RELATED NOTICE OF VIOLATIONS / VIOLATION ORDERS / SUMMONSES, IF ANY, AGAINST PERSON OR ENTITY CHARGED (GIVE PARTICULARS):

	VIOLATION/SUMMONS NO.	PARTICULARS	DISPOSITION
1			
2	N/A	N/A	N/A
3			
4			
5			
6			

REMARKS (INDICATE ANY UNUSUAL CIRCUMSTANCES):

illegal HOTEL operated in class "A" APARTMENTS (CO number) 3100892038.

NOTE: *This form is to be forwarded in DUPLICATE, with a single copy of violation order and summons served attached.*

SERVED AND PREPARED BY:	EXAMINED BY:
Ervin Santiago (SIGNATURE)	(SIGNATURE)
Ervin Santiago (PRINT NAME)	(PRINT NAME)
OFFICE OF special enforcement / NTF (TITLE/UNIT)	SCI - Supervision (TITLE/UNIT)
1159464 (TAX REGISTRY NUMBER)	439 (BADGE NUMBER)

Miscellaneous items

For E.U. Use Only: FPIMS Date ___/___/___ Initials ___
Agency Code No. ___

F.P.I.M.S. Account No. ___ FP Unit ___ ADMIN. C.O. ___ C.B. # ___ UNIT PHONE # 718 999 1956

ENVIRONMENTAL CONTROL BOARD
CITY OF NEW YORK

NOTICE OF VIOLATION AND HEARING

NOV# 11279441N

11279441N

Petitioner, New York City Fire Department vs Respondent:
DRIGGS 808 444

Respondent is: ☑ owner ☐ managing agent ☐ tenant ☐ city agency ☐ daycare center

Place of Occurrence (Premises Address)
BLDG 808 Prefix ___ Street Name DRIGGS
Type AVE Suffix ___ Zip Code 11211 Boro Code 04 1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns

Mailing Address (If different from premises address)
BLDG 329 Prefix ___ Street Name HEWES
Type ST Suffix ___ Zip Code 11211 Boro Code 04 1=Man; 2=Bx; 3=Si; 4=Bklyn; 5=Qns; 6=Out of city
Add Info/AKA ___

Notice of Violation and Order to Correct and Certify Correction:

PLEASE TAKE NOTICE that the premises cited above is in violation of the requirements of law. It is further ORDERED by the FIRE COMMISSIONER that these violations be corrected and certified to be in compliance with the requirements of law within 35 days of the date of issuance. Certification must be made on the Certificate of Correction (Gold Copy). The Certificate of Correction and all proof of compliance MUST BE RECEIVED by the Bureau of Fire Prevention, Enforcement Unit, 9 MetroTech Center, Brooklyn, New York 11201-3857 (718) 999-2392 by close of business on 12 7 11 First offenders who properly certify correction will avoid a hearing and penalty. All other respondents must appear at the Environmental Control Board (ECB) hearing indicated below.

Notice of Hearing:

If the Certificate of Correction IS NOT RECEIVED by the date indicated above OR if no date is indicated above, the respondent MUST APPEAR at a hearing on 12 20 11 at ☐8:30am, ☑10:30am, ☐1:30pm, at the ECB Hearing Office located in ☑Brooklyn ☐Manhattan ☐Queens ☐Staten Island ☐ Bronx. (The address for each location is provided on the reverse side of this form.) Proceedings will be held under the authority of Section 1049-a of the NYC Charter and the rules promulgated thereunder. This hearing is your opportunity to answer and defend the allegations set forth below. If you do not appear, you will be held in default and subject to maximum penalties. REPEAT OFFENDERS MUST APPEAR at the hearing on the scheduled date.

Upon investigation, the Fire Department has determined that the above named respondent is in violation of the New York City Administrative Code and/or rules promulgated thereunder with respect to the following requirements (which have been consolidated into violation categories (VC) for enforcement purposes, as set forth in Fire Department rule 3 RCNY §109-02):

☐ **VC 1 Portable Fire Extinguishers and Fire Hoses**
Failed to provide and/or maintain ___ (NUMBER) required (portable fire extinguishers/fire hoses/other) at ___ (LOCATION).

☐ **VC 2 Combustible Waste Containers**
Failed to provide required container(s) for combustible waste and/or store combustible waste in a container at ___ (LOCATION).

☐ **VC 3 Permits**
Failed to (obtain/renew/possess) a permit for ___ (TYPE OF PERMIT).

☐ **VC 4 Unlawful Quantity or Location of Regulated Material**
(Manufacture/Storage/Handle/Use) ___ (AMOUNT) of ___ (MATERIAL) in violation of permit/quantity/location restrictions.

☑ **VC 5 Posting of Permits and Recordkeeping**
Failed to post a permit and/or (maintain/produce) records for ___ (SPECIFY) at Sprinkler System Inspections (LOCATION).

☐ **VC 6 Signs, Postings, Notices and Instructions**
Failed to provide and/or maintain required (signs)(postings)(notices)(instructions) for ___ (TYPE) at ___ (LOCATION).

☐ **VC 7 Labels and Markings**
Failed to provide and/or maintain required label, or other marking for ___ (TYPE) at ___ (LOCATION).

☐ **VC 8 Accumulation and Removal of Combustible Waste**
Failed to timely remove combustible waste and/or allowed the accumulation of combustible waste and/or vegetation at ___ (LOCATION).

☑ **VC 9 Means of Egress**
Failed to provide egress free from obstructions or impediments, and/or failed to maintain required egress at Cellar level (LOCATION).

☐ **VC 10 Overcrowding**
Failed to limit number of persons in ___ (TYPE OF SPACE) to ___ (NUMBER OF PERSONS) at ___ (LOCATION).

☐ **VC 11 General Maintenance**
Failed to maintain ___ (SPECIFY) in (good working order/clean condition) or in compliance with (general maintenance/housekeeping) requirements.

☑ **VC 12 Fire Protection Systems**
Failed to provide and/or (maintain) required Fire alarm (TYPE/DESCRIPTION) at system (LOCATION).

☐ **VC 13 Flame-Resistant Materials**
Failed to provide and/or maintain required flame-resistant materials ___ (SPECIFY ITEM) at ___ (LOCATION).

☐ **VC 14 Fire-Rated Doors and Windows**
Failed to (provide/protect/maintain) required (fire-rated/self-closing/access) door or window at ___ (LOCATION).

☐ **VC 15 Fire-Rated Construction**
Failed to provide and/or maintain required fire-rated construction of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 16 Ventilation**
Failed to provide and/or maintain required ventilation ___ (SPECIFY TYPE) at ___ (LOCATION) for ___ (SPECIFY PURPOSE).

☑ **VC 17 Certificates of Fitness and Certificates of Qualification**
Failed to obtain and/or produce required (Certificate of Fitness/Certificate of Qualification) for Sprinkler system (SPECIFY TYPE).

☐ **VC 18 Certificates of Approval, Certificates of License and Company Certificates**
Failed to obtain and/or produce required Certificate of Approval for ___ (TYPE) Certificate of License, or Company Certificate for ___ (TYPE).

☐ **VC 19 Affidavits, Design and Installation Documents and Other Documentation**
Failed to (prepare/produce/submit) required documentation: ___ (DESCRIPTION).

☐ **VC 20 Inspection and Testing**
Failed to conduct required (initial/periodic) inspection or test of ___ (SPECIFY) at ___ (LOCATION).

☐ **VC 21 Portable Containers**
Failed to (provide/use) required container for ___ (TYPE) at ___ (LOCATION).

☐ **VC 22 Stationary Tanks**
Failed to provide required stationary tank storage system for ___ (TYPE OF MATERIAL) at ___ (LOCATION).

☐ **VC 23 Storage Facilities**
Failed to provide required storage (cabinets/enclosures/rooms/vaults) at ___ (LOCATION).

☐ **VC 24 Racks and Shelf Storage**
Failed to provide required racks and/or shelf storage, and/or failed to store ___ (TYPE OF MATERIAL/COMMODITIES) at ___ (LOCATION) as required.

☐ **VC 25 Electrical Hazards**
Failed to provide and/or maintain required electrical devices/equipment and/or allowed electrical hazards to exist at ___ (LOCATION).

☐ **VC 26 Heating and Refrigerating Equipment and Systems**
Failed to provide and/or maintain required (heating/refrigerating) system for ___ (TYPE) at ___ (LOCATION).

☐ **VC 27 Electrical Lighting Hazards**
Failed to provide, protect, and/or maintain required lighting devices or equipment at ___ (LOCATION).

☐ **VC 28 Open Fires, Open Flames and Sparks**
Unlawfully (lit/maintained/operated/used/failed to protect) (open fire/open flame/sparking device) at ___ (LOCATION).

☐ **VC 29 Designated Handling and Use Rooms or Areas**
Failed to provide required (room/area) for (handling/use) of ___ (TYPE OF MATERIAL/ACTIVITY) at ___ (LOCATION).

☐ **VC 30 Fire Safety in Office Buildings/Hotels/Motels**
Failed to comply with the fire safety requirements for (office buildings/hotels/motels). ___ (SPECIFY).

☐ **Repeat Violation (§15-229)**
Failed to correct VC(s) ___ (SPECIFY) as previously cited on NOV # ___ (Respondent must appear at the hearing.)

☐ **False Certification (§15-220.1)**
Willfully falsified Certificate of Correction for NOV # ___ (Respondent must appear at the hearing.)

☐ **Other Fire Code/Rule Violations** ___ (SPECIFY SECTION) Describe offense below.

Description of Violation: Violation Category VC5, 9, 12, 17
SEE Supplemental Form For Details

I personally observed the violations charged above or personally reviewed the office records indicating such violations. All statements made herein are affirmed/certified under penalty of perjury. Date of Offense: 11/2/11 Time: 9:45 ☑a.m. ☐p.m.

☑ Supplement Attached

INSPECTOR'S SIGNATURE Erwin Santiago

Inspector's Identification Number 115964

PRINT NAME Erwin Santiago

85-19 H1-912711-11-112

AFFIDAVIT (CERTIFICATE) OF SERVICE (COMPLETE REVERSE SIDE)

ECB COPY

FP Unit 913 Admin CO. [ ]

ENVIRONMENTAL CONTROL BOARD CITY OF NEW YORK	NOTICE OF VIOLATION AND HEARING	VIOLATION NO. 1 1 2 7 9 4 4 N

SUPPLEMENTAL INFORMATION FORM

Instructions:
1. Be sure to fill in the Violation Number at the top of this form and complete all of the information at the bottom of the form.
2. Indicate in the Description of Violation section of the Notice of Violation that a "Supplemental Information Form is attached."
3. The original (white copy) of this form shall be attached to the Notice of Violation, and the other copies distributed as indicated below.

Violation Category	Supplemental Information
VC 5T	Failed to have person or Firm holding the Certificate of Fitness for the sprinkler system post at the main control valve a detailed/up to date record of Inspection relative to Conditions of water supply, valves, risers, piping, sprinkler Heads, Standpipe Connections, Alarms, Firepumps. All defects or violations shall be noted on Report as per 901.6.2.1 Fire Code
VC 17	Failed to have person or Firm in charge, employed by the owner obtain a Certificate of Fitness for maintenance of the sprinkler system as per 903.5 Fire Code.
VC 9	Failed to provide egress in cellar Free from obstructions (ie Boxes, shelving, combustible material etc) and impediments
VC 12	Repair/Replace Fire alarm system in proper working order. The owner shall be responsible for ensuring that the Fire and life Safety systems are maintained in good working order at all times as per 907.20.5 of the Fire Code.

I personally observed the violations indicated on the attached Notice of Violation.
All statements made herein are affirmed/certified under penalty of perjury.

INSPECTOR'S SIGNATURE Ervin Santiago

PRINT NAME Ervin Santiago

Inspector's Identification Number 1 1 1 5 9 4 1 6 4

DATE 11-2-2011 TIME 9 :45 AM/PM

DISTRIBUTION
1- ECB copy 2- Respondant copy 3- Fire Department copy

2444
28

A-10(B) 10-03

CROSS STREETS 55th street

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 316251

To 808 DRIGGS AVENUE BROOKLYN 11211 (ADDRESS) — Driggs 808 LLC 325 Hewes ST Brooklyn 11211 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

ROOM NO. OR FLOOR — Hotel (TYPE OF OCCUPANCY) — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide adequate Fire extinguishers throughout SMART HOTEL / TOSHI HOTEL For such class A, B, C Fire potential as might be present as per 5.4.2.2 NFPA 10 OF (2007)
	2	Provide a Fire safety director to be present on the premises at all TIMES. When Fire Safety director is ~~present~~ absent, a deputy Fire Safety director shall be present as per 401.6.5.2 Fire Code
	3	provide a diagram depicting two evacuation routes to be posted on or immediately adjacent to every required egress door. Diagram shall indicate the following as per 408.8.1 Fire Code
	4	Remove caps For all smoke detectors / smoke alarms

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Robert Chan
TRISTAN BRUCE DURMAD — Manager — 347-554-3379
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FFI Edwin Santiago — 10-2 2011 — Mayor's Task Force
INSPECTOR — DATE — UNIT

Unit Address 1 Centre ST RM 1012 — Unit Telephone 212 788 7140

2444
28

A-10(B) 10-03

CROSS STREETS South 5th STREET

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 316252

To 808 DRIGGS AVENUE Brooklyn 11211 — SMART Apartment Driggs 808 LLC 329 Hewes ST.
ADDRESS — NAME OF OWNER, LESSEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR — Hotel — TYPE OF OCCUPANCY — Brooklyn 11211 — ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety:
	1	Provide a one inch inspectors test valve as per 8.16.4.2.1 in laundry room in cellar / upper most portion of building / system
	2.	Repair / Replace Fire alarm system and Repair to proper working order as per 907.20.5 FIRE CODE
	3	Provide a bound log book for Fire drills conducted by Fire Safety staff (1 hour quarterly on each shift) as per 406.2(1) of Fire Code
	4	Provide Inspection for Smoke Alarm detectors / Carbon Monoxide for SMART Apartments / TOSH. Hotel

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Robert Chan / TRISTAN BRUCE DURMAD — owner of Hotel — 347-554-3379
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FRI Erwin Santiago — 11-02-2011 — Mayors task force
INSPECTOR — DATE — UNIT

Unit Address 1 Centre street RM 1024 NEW YORK — Unit Telephone 212 788-7140

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34924096P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): Driggs 808 LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 329 Newes St	City: Brooklyn	State: NY	Zip code: 11211	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Project Code		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
802 Driggs av	BK	10/21/11	C	MH	VP	02

Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1H	3063460	6	2444	28	MIX use	3391672

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☒ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☒

Infraction Code	Provision of Law	
B106	BC1008.1.2.2	Failure to comply with Exit Door directional Swing" Noted at roof level ~~landing~~ door marked as Exit that opens against the flow of egress

Remedy: comply with door directional swing

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 12/19/11 at ☐ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/Buildings or check the violation status on the BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☒ **Brooklyn**, (718) 875-7428 - 233 Schermerhorn Street, 11th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (212) 361-1400 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach, V

2118 (Badge number) MH (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature _____
This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34924096P

ORIGINAL - ECB COPY

ECB-PC (Rev. 9/08)

1068 2nd Ave.

MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date	Time	Occupancy	Pct/Boro	Block/Lot
7/19/12	1905	IH	PBMS	

Initial Insp. ☒ Re-Insp. ☐ Invest. ☐ Vacate ☐ Closing ☐ Other ☒ Specify: LEGAL REQUESTED INSPECTION

D.B.A. ILLEGAL HOTEL		A.P.I.C. POST	
Address 1068 2ND AVE		Address	
City/State NYNY	Flr.		
Corp.		Sex	Race	Height	Weight
Address		D.O.B.	ID TYPE _____ EXP. _____
City/State		Phone	# _____

Buildings Department:	Violations	Summonses	E.C.B. OS	Violation C/W
Fire Department:	Violations 10	Summonses 01	E.C.B.	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS

Violations: 10
Summonses: 01
E.C.B.'s: OS
Hearings: ____
Vacate #: ____
Closing #: ____

Personnel Present: GIGLIO, LEVINE, PUGACH, SANTIAGO

Violations:

SMART APTS:

2fl. MINNEAPOLIS MINN 5 ADULTS 7/17/12 - 7/21/12 5 ADULTS

3rd fl. DENVER 7-19/7-26 2 ADULTS / 1 child

4 fl FRANCE 7/16 - 7/21 4 ADULTS - WAS ~~apt~~ 224 E48ST MOVED DUE TO LEAK.

071912CMVFVP05 28-118.3.2 # 349803992 9/6/12

071912CMVFVP06 28-301.1 # 34980425N

071912CMVFVP07 BC 907.2.8 # 34980426P

071912CMVFVP08 28-301.1 # 34980427R

071912CMVFVP09 28-105.1 # 34980428Z

E 360964 (2); E 360961 (2); E 360963 (3); E 360962 (3)

A-10(B) 10-03

CROSS STREETS
E 56 ST
E 57 ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION
D.O. 93

VIOLATION ORDER

E 360961

To 1068 2nd AVE NEW YORK NY 10022 (ADDRESS) SMART APARTMENTS 1068 2nd AVE LLC 521 Madison AVE (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

Throughout (ROOM NO. OR FLOOR) Commercial/Residential/Transient use occupancy (TYPE OF OCCUPANCY) (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Intest of public safety
	1	Discontinue transient use occupancy contrary to Department of Buildings Records. Certificate of occupancy No 38315 indicates offices 2nd and 3rd Floor, class "A" apartments 4th Floor. I observed "smart apartments" transient use occupancy operation throughout 2, 3, 4 Floors in apartments # 2, #3, #4.
	2	Provide for front doors to open in the direction of travel for proper means of egress in event of a fire emergency for transient use occupancy operation as per 904.10.6 of Fire Code

If this order has not been complied with in, For 14 with 24 hrs days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

posted on property
NAME OF PERSON WHO RECEIVED THIS ORDER — TITLE — PHONE #

FRI Erwin Santiago (INSPECTOR) 7-19-12 (DATE) Mayor's Office of Special Enforcement (UNIT)

Unit Address 1 Centre ST Room 1012N New York NY 10007 Unit Telephone 212 788-7140

A-10(B) 10-03

CROSS STREETS
E 56ST
E 57ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360962

To 1068 2nd AVE NEW YORK 10022 (ADDRESS) SMART APARTMENTS 1068 2ND AVE LLC 521 Madison AVE NY 10022 (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)

Throughout (ROOM NO. OR FLOOR) Residential/Commercial/Transient (TYPE OF OCCUPANCY) USE occupancy (ACCOUNT NO.)

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public safety:
	1	Provide Adequate number of Fire extinguishers for transient USE occupancy operation "SMART APARTMENTS" for class A, B, C fire potential As per section 5.4.2.2 OF NFPA 10 OF (2007).
	2	Provide Adequate Emergency illuminated lighting throughout "SMART APARTMENTS" transient USE occupancy operation, for proper means of egress in event of a Fire emergency As per section 1011.1 OF Building CODE AND section 904.10.6 OF Fire CODE.
	3	Provide A Diagram indicating two evacuation routes TO BE POSTED ADJACENT TO every required egress door from Each Hotel guest Room. Diagram Should have Features indicated in section 408.8.4 of the Fire Code

If this order has not been complied with in, 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR –NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI Ervin Santiago (INSPECTOR) 7-19-12 (DATE) Mayors OFFICE OF Special Enforcement (TITLE / PHONE # / UNIT)

Unit Address 1 Centre ST RM 1012N Unit Telephone 212 788 7140
NEW YORK NY 10007

A-10(B) 10-03

CROSS STREETS
E 56 ST
E 57 ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O. 93

VIOLATION ORDER

E 360963

SMART APARTMENTS
1068 2nd AVE LLC
521 Madison AVE 10022

To 1068 2nd AVE NEW YORK 10022
ADDRESS

NAME OF OWNER, LEASEE, OCCUPANT, ETC.

ROOM NO. OR FLOOR

Residential / Commercial / Transient USE occupancy
TYPE OF OCCUPANCY

ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of Public Safety
	1	Provide an approved manual, automatic or manual and automatic fire alarm system for transient use occupancy operation "SMART APARTMENTS", where required by the Construction Codes, Building Codes and fire code and NFPA 72 as per section 907.2 of the Fire Code.
	2	Provide for a fire safety director to be on premises at all times for transient use occupancy operation "SMART APARTMENTS" as per section 401.4.5.2 of the Fire Code.
	3	Provide an approved Fire safety plan and evacuation plan for transient use occupancy "SMART APARTMENTS" as per section 404.2.1 of Fire Code

If this order has not been complied with in, 10 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25
FOR–NUMBERING

TO 24
FOR DISMISSAL

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED at property
NAME OF PERSON WHO RECEIVED THIS ORDER

TITLE PHONE #

FPI Ervin Santiago
INSPECTOR

7-19-12
DATE

Mayors Task Force of Special Enforcement
UNIT

Unit Address 1 Centre St RM 1020N NEW YORK NY 10007

Unit Telephone 212 788 7140

A-10(B) 10-03

CROSS STREETS
E 56ST
E 57ST

CITY OF NEW YORK
FIRE DEPARTMENT

BATTALION

D.O.

VIOLATION ORDER

E 360964

To 1068 2nd AVE NEW YORK 10022 (ADDRESS)
SMART APARTMENTS 1068 2nd AVE LLC 521 Madison Ave (NAME OF OWNER, LEASEE, OCCUPANT, ETC.)
ROOM NO. OR FLOOR
Residential/Commercial/Transient USE occupancy (TYPE OF OCCUPANCY)
ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		In the Interest of public Safety
	1	Remove Furniture blocking/ obstructing
		Fire escape access throughout Floors 2,3,4
		For transient USE occupancy operation
		"SMART APARTMENTS" In EVENT of Fire emergency
		Means of egress As per 1027.1 of the Fire
		CODE.
	2	Repair/Replace All defective SMOKE ALARMS AND
		Carbon Dioxide Detectors throughout transient
		USE occupancy "SMART APARTMENTS" for proper
		detection of smoke and Fire in the event
		of an emergency

If this order has not been complied with in, Forthwith days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR-NUMBERING | **TO 24 FOR DISMISSAL**

Salvatore Cassano
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

POSTED on property
NAME OF PERSON WHO RECEIVED THIS ORDER

FPI ERVIN Santiago (INSPECTOR) 7-17-12 (DATE) Mayors OFFICE of Special Enforcement (TITLE / PHONE # / UNIT)

Unit Address 1 CENTRE ST RM 1072N NEW YORK NY 10007 Unit Telephone 212 788 7140

CRC-3206 (7/09)

Complaint/Information

The People of The State of New York vs.

Name *(Last, First, MI)*						
Street Address						Apt. No.
City			State		Zip Code	
ID/License Number		State	Type/Class	Expires *(mm/dd/yy)*		Sex
Date of Birth *(mm/dd/yy)*	Ht	Wt	Eyes	Hair	Plate/Reg	
Reg State	Expires *(mm/dd/yy)*	Plate Type	Veh Type	Make	Year	Color

The Person Described Above is Charged as Follows:

Time 24 Hour *(hh:mm)*	Date of Offense *(mm/dd/yy)*	County
1900	7-19-12	NY

Place of Occurrence	Precinct
1068 2nd AVE 10022	017

In Violation of Section / Subsection	VTL	Admin. Code	Penal Law	Park Rules	Other
15-216 A+B	☐	☒	☐	☐	

Title of Offense: OBSTRUCTED Fire escape/MEANS OF egress

Factual Allegations *(describe offense)*:

I personally observed transient use occupancy operating with obstructed/blocked access to Fire escape throughout building.

SPRINT #:

Defendant stated in my presence *(in substance)*:

I personally observed the commission of the offense charged herein. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law. Affirmed under penalty of law.

Complainant's Full Name Printed	Rank/Full Signature of Complainant	Date Affirmed *(mm/dd/yy)*
ERvin Santiago	PAF Ervin Santiago	

Agency	Tax Registry #	Command Code
FDNY	1159464	MTF

The person described above is summoned to appear at NYC Criminal Court located at:	Summons Part	County
108 Leonard ST 10013	SAP 2A	NY

Date of Appearance *(mm/dd/yy)* At 9:30 a.m.

ORIGINAL

DEFENDANT'S COPY

AGENCY/POLICE COPY 1

4403445544

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980425N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 1068 2ND AVE, LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison ave	City: NY	State: NY	Zip code: 10022	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
1068 2 AV	M	07/19/12	C	MTF	VP	06

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1A	1039977	4	1349	7	MIXUSE	132766

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B155	28-301.1	Failure to maintain building in code compliant manner. Lack of a system of automatic sprinklers where required per BC 903.2.27-954 Floors 2,3,4 Floors occupied as a transient use w/o providing Sprinkler system

Remedy: Discontinue Illegal Occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE 1 1

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach

2121 / MIT
Badge number / Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature
This statement is affirmed under penalty of perjury.

34980425N

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980426P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 1068 2nd ave, LLC	Last name			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison AV	City: NY	State: NY	Zip code: 10022	
Additional mailing to be sent (agent, care of, other):		License No. (If Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
1068 2 AV	M	07/19/12	C	MN	UV	07

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
2	1039977	4	1349	2	MIXED	DSE 1329766

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order: ☐ Full ☐ Partial | Class 1: ☑ | Class 2: ☐ | Class 3: ☐ | Recurring Condition: ☐

Infraction Code	Provision of Law	
13/06	BC 907.2.8	Failure to provide fire alarm system, noted: 2, 3 & 4 Floors occupied as a transient use w/o providing fire alarm system

Remedy: Discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE T T

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☑ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pugach. V

Badge number: 2218 Unit Code: MN

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature

This statement is affirmed under penalty of perjury.

34980426P

ORIGINAL - ECB COPY

ECB-PC (Rev. 2/12)

NOTICE OF VIOLATION AND HEARING

NYC Buildings

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980427R
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 1068 2nd ave,	Last name: LLC			
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 521 Madison av	City: NY	State: NY	Zip code: 10022	

Additional mailing to be sent (agent, care of, other):

	License No. (If Applicable)		Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
1068 2 AV	M	07/19/12	C	MH	VP	08

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
1/2	1039977	4	1349	2	MIX use	1329768

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed

Stop Work Order ☐ Full ☐ Partial | Class 1 ☒ | Class 2 ☐ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law	
B189	28-301.1	Failure to maintain building in code compliant manner. Failure to provide ~~required~~ number of required means of Egress for every floor per BC 1018.1 & 27-366. Noted 2,3,4 floors occupied as a transient hotel w/o providing required means of Egress

Remedy: discontinue illegal occupancy

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See **'Certifying Correction'** on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options

CURE DATE —

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

HEARING DATE 09/06/12 at ☒ 8:30 AM ☐ 10:30 AM ☐ 1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, **or** the violation is marked as an Aggravated II condition, **or** if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website.
YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

Environmental Control Board hearing locations:

- ☐ **Queens**, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, (212) 361-1400 - 66 John Street, 10th fl.
- ☐ **Brooklyn**, (718) 923-6100 - 9 Bond Street, 7th fl.
- ☐ **Bronx**, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): Pagach. C

2218 (Badge number) MT (Unit Code)

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature —

This statement is affirmed under penalty of perjury.

34980427R

ECB-PC (Rev. 2/12)

ORIGINAL - ECB COPY