

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from March 2021 to Deter Bad Actors and Keep New Yorkers Safe

New York, NY — Today, the New York City Department of Buildings released its March 2021 enforcement bulletin, which provides highlights of the agency's actions to sanction and deter bad actors in the construction industry through the enforcement of safety laws and codes of conduct for construction professionals. Today's bulletin includes summaries of DOB-imposed disciplinary actions, including penalties and license suspensions and revocations.

The actions below represent a portion of DOB's overall work to enforce the City's building codes and safety laws, in addition to the thousands of inspections conducted and violations issued by the agency each month for illegal building and construction conditions.

DOB took a number of major enforcement actions in March, including:

- 64 violations and \$864,750 in penalties, including daily penalties, issued for illegal building alterations at nine locations.
- 41 violations and \$470,000 in penalties issued for failure to safeguard construction sites on 39 separate occasions.
- Three violations and \$82,200 in penalties, including daily penalties, issued for illegal transient use at three separate locations.
- 18 violations and \$180,000 in penalties issued to 18 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for March 2021:

Bronx

- \$12,500 in penalties issued to Urban Renaissance Collaboration Promesa HDFC, the owners of 851 Tinton Avenue, Bronx, for failure to maintain the façade of their 5-story building, after a DOB inspection found missing pieces of the stucco façade around the building.
- \$10,000 in penalties issued to Tracking Number Holder DZ Construction Corp. for failure to safeguard a demolition site at 356 Soundview Avenue, Bronx, after our inspectors found that required protection measures had not been implemented for a neighboring property.

- \$30,625 in penalties issued to 3069 Cannon Place LLC, for illegally displaying an outdoor advertising sign at 3470 Fort Independence Street, Bronx, without a permit, and in a prohibited zone. An additional violation was issued for failing to register as an Outdoor Advertising Company.



Brooklyn

- \$99,750 in total penalties issued to Herman Stark, owner of 626 Lafayette Avenue, Brooklyn, for illegally converting a legal two-family house with the addition of six unpermitted dwelling units. Additional penalties were issued for illegal construction work performed without a permit, and for the owner's continued failure to comply with Department orders.
- \$20,625 in total penalties issued to Tracking Number Holder High Quality Construction for multiple site safety violations found at a construction site at 5216 4th Avenue, Brooklyn. DOB inspectors found that the work site was missing required overhead protection, the site safety plan was not on location during ongoing construction operations, the site was missing guard rails at the roof, the contractor had failed to properly maintain a supported scaffold, and engineering drawings related to shoring work at the site were missing.
- \$10,000 in penalties issued to Safety Registrant Happy Living Development for failure to provide a sidewalk shed at a nine-story building under construction at 805 Washington Avenue, Brooklyn.

- \$10,000 in penalties issued to General Contractor Rubin Devel. and Const. Inc. for failure to safeguard a two-story building undergoing alterations at 1719 Avenue P, Brooklyn, after our inspectors found that workers at the site did not have proper egress routes, rebar at the site was missing safety caps, and the contractors did not implement controlled access zones at the site.
- \$7,500 in penalties issued to General Contractor Kel-Mar Designs Inc. and an additional \$5,000 in penalties issued to Construction Superintendent Joseph O'Donohue, for failure to report a fire at a construction site at 497 Carroll Street, Brooklyn. Additional violations were issued for not maintaining the Construction Superintendent's log book, and for removing material and evidence of the incident from the work site without permission.
- \$6,250 in penalties issued to 2055 Fulton Street Development, the owners of 2055 Fulton Street, Brooklyn, for failure to maintain their three-story building, after a DOB inspection found that masonry stucco had fallen from the façade, which was also found to have missing bricks.
- \$2,500 in penalties issued to Harilall Soorjally and Big Apple Group NY, LLC, for using personnel to perform special inspections of concrete work, who did not meet the requirements to perform such inspections.
- \$40,000 in penalties issued to Family Lee Trust, for illegally displaying an outdoor advertising sign at 110 Lee Avenue, Brooklyn, without a permit, in a prohibited zone. Violations were also issued for failing to use a licensed sign hanger to erect or attach the sign, and failure to register as an outdoor advertising company. The Department will continue to monitor the property for compliance.



Manhattan

- \$25,000 in penalties issued to General Contractor JDS Construction Group for failure to safeguard a tower construction site at 111 West 57th Street, Manhattan, after ice fell from the building and a construction hoist to the street below.
- \$20,000 in total penalties issued to Safety Registrant Tishman Construction Corp. for failure to safeguard a construction site at 159 West 48th Street, Manhattan, after a concrete chute hopper failed at the 27th floor of the work site. Violations were issued for failure of the contractors to properly inspect the chute prior to use, and for not having records for the required pre-shift construction worker safety meetings.
- \$6,250 in penalties issued to 2847 FDB LLC, the owners of 2847 8th Avenue, Manhattan, for failure to maintain the façade of their five-story building, after a DOB inspection found bricks along the parapet were cracking.

Queens

- \$91,000 in total penalties issued to Gioacchino Graci, the owner of 23-14 96th Street, Queens, for illegally converting a two-family house with the addition of seven illegal single room occupancy (SRO) units with 21 beds. Additional violations were issued for illegal construction work performed without a permit, inadequate egress, fire safety violations, and for the owner's continued failure to comply with Department orders.
- \$15,000 in penalties issued to Safety Registrant 52-03 Center GC LLC for failure to safeguard a construction site at 52-03 Center Boulevard. Violations were issued after DOB inspectors found crane operations ongoing at a 56-story building construction site, without the required overhead protection for workers. The site was also found to have inadequate guard rails at the roof of the building.
- \$10,000 in penalties issued to Construction Superintendent Akhlak Choudhry for failure to perform his required duties on a construction site at 90-20 191st Street, Queens, after DOB inspectors found that the construction fence around the site was not properly maintained, the supported scaffold at the site was missing guardrails, and the construction superintendent's log was missing entries.

- \$20,000 in penalties issued to C.A.B. MGMT CP and Lamar Advertising of Penn LLC, for illegally displaying an outdoor sign without a permit at 27-34 Jackson Avenue, Queens. DOB will continue to monitor the property for compliance.



- The owner of 150-20 Centerville Street and 95-35 150 Road, Queens, was cited for using the property as a contractor's yard and for commercial vehicle storage. The Department had previously cited this same property for the issue, and the illegal use had been discontinued for nearly a decade. A recent inspection revealed that the illegal use of the property had resumed, and as a result the premises were padlocked.



- The owner of 241-04 131 Avenue, Queens, was cited for using the property for dead vehicle and junk storage. After a default hearing, an Order of Closure was issued by the Department. If the illegal use of the premises is not discontinued, the Department will padlock the property.



Staten Island

- \$10,000 in penalties issued to Safety Registrant Leon D. Dematties Constr. for failure to safeguard a construction site at 45 Waverly Place, Staten Island, after DOB inspectors observed that the site was missing vertical safety netting, the supported scaffolds at the site had not been installed as per code, the site had inadequate housekeeping, and there was no record that the construction workers have been given a pre-shift safety meeting.
- The owner of 205 Granite Avenue, Staten Island, was cited for illegally using the property as a contractor's yard and for junk storage. After a default hearing an Order of Closure was issued by the Department. If the illegal use of the premises is not discontinued, the Department will padlock the property.



Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Registered Architect Peter Klein, the Department found multiple false statements in the applications. Following a trial at OATH, the Department suspended all of Mr. Klein's filing privileges with the Department for a period of three years, and permanently revoked his Professional Certification and Directive 14 privileges, effective March 4, 2021.
- Following an audit of five professionally certified applications submitted by Registered Architect Zarina Kindo, the Department found major code non-compliances, including filing Alteration Type 2 applications, despite proposing changes in use, egress and/or occupancy, which require Alteration Type 1; failure to provide adequate fire rated materials; failure to provide adequate means of egress; failure to provide accessibility for persons with disabilities; and various other violations of code and rules, including the Zoning Resolution and Multiple Dwelling Law. Based on the audits, Ms. Kindo agreed to a voluntary surrender of her Professional Certification and Directive 14 privileges, effective March 29, 2021.

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

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