

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from May 2019 to Deter Bad Actors and Keep New Yorkers Safe

New York, NY – Today, the New York City Department of Buildings released its May 2019 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 May, including:

- 41 violations and \$633,262 in penalties, including daily penalties, issued for illegal building alterations on 10 separate occasions.
- 44 violations and \$332,125 in penalties, including daily penalties, issued for illegal transient use of buildings at 10 different locations.
- 57 violations and \$645,030 in penalties issued for failure to safeguard construction sites on 48 separate occasions.
- 30 violations and \$300,000 in penalties issued to 25 different individuals for failure to carry out duties as construction superintendents.

Below are individual enforcement highlights for May 2019:

- \$43,750 in total penalties issued to Tracking Number Holder Lime-Light Construction for a failure to safeguard a work site at 26 1st Avenue, Manhattan, which resulted in a worker falling from a supported scaffold. The Tracking Number Holder was cited for a number of violating conditions at the work site including defective scaffold installation, incomplete decking, missing guardrails and pins, and lack of required worker training cards for scaffold work.
- \$10,000 in penalties issued to Safety Registrant DLC Development for operating a crane in an unsafe manner at 37-27 12th Street, Queens. The crane was being used without proper DOB approvals, was found to be operating too close to overhead power lines, and had improperly set up supporting outriggers on a cracked sidewalk.

- \$25,000 in penalties issued to Safety Registrant Mega Contracting GP, LLC, for failure to safeguard a construction site at 540 West 53rd Street, Manhattan, which led to a worker falling 16 feet to the ground. It was determined that the worker fell between a gap between the building and a sidewalk shed, which should have been closed off.
- \$10,000 in penalties issued to General Contractor Vice Contracting LLC, for failure to safeguard a construction site located at 5120 6th Avenue, Brooklyn. DOB inspectors found that the rear of the site had been excavated and the building's rear fire escape ladder could no longer be used as a safe means of egress.
- \$10,000 in penalties issued to Safety Registrant Top 8 Construction Corp. for failure to provide overhead protection at a construction site located at 3709 College Point Boulevard, Queens.
- \$10,000 in penalties issued to Safety Registrant Ground to Sky Builders for a failure to safeguard a construction site at 260 Flatbush Avenue, Brooklyn, after DOB inspectors found that the site was left open and unguarded to the public.
- \$25,000 in total penalties issued to Construction Superintendent John Sadowski for several violations related to his failure to perform his required duties at three separate construction sites located at 116 Wheeler Avenue, Bronx, 1122 Southern Boulevard, Bronx, and 156 Bruckner Boulevard, Bronx. DOB found that Mr. Sadowski had failed to keep proper safety logs, and failed to designate a competent person at the site when he was not at the location.
- \$10,000 in penalties issued to Construction Superintendent Isaac Grossberg for failure to perform his required duties at a construction site located at 2010 Ocean Avenue, Brooklyn. DOB inspectors found that the required Tenant Protection Plan and DOT safety plan were not being properly followed, and combustible material was being used as fire stopping at the site.
- \$10,000 in penalties issued to Construction Superintendent Ryan Bartoni for failure to perform his required duties at a construction site located at 58-62 262 Street, Queens. DOB found that an adequate construction fence was not present at the site, that there was no competent person designated for the site, and daily log books with worker certifications were not being properly kept.
- \$145,000 in total penalties issued to William Property Realty, Inc., the owner of 2423 Lodovick Avenue, Bronx, for the illegal addition of three dwelling units to a legal two-family home, unsafe storage of combustible material in the boiler room, and continued noncompliance with DOB orders.
- \$50,400 in total penalties issued to Camille Stephenson, the owner of 141-18 250th Street, Queens, for the illegal alteration of a legal two-family home converted to an illegal three-family home with the addition of an illegal apartment and illegal gas plumbing work in the cellar. The owner had failed to comply with previous orders to correct the violating conditions on multiple occasions.

- \$72,500 in total penalties issued to 348-58 West 47 St Associates, the owner of 348 West 47th Street, Manhattan, for safety violations and the illegal conversion of a Class A apartment to illegal transient use, as well as failure to comply with a previous order to correct the violating conditions.
- \$70,000 in total penalties issued to 332-4 West 47 St Associates, the owner of 332 West 47th Street, Manhattan, for safety violations and the illegal transient use of a Class A apartment, as well as failure to comply with a previous order to correct the violating conditions. The owner rented out the apartment on Airbnb, and instructed their short-term guests to not disclose the Airbnb booking to authorities, but rather pretend to be friends of the host.
- \$68,750 in total penalties issued to Dennis Camacho, the owner of 1294 Putnam Avenue, Brooklyn, for the illegal alteration of a legal two-family home converted to a an illegal 12-family dwelling. DOB found key locks on the doors inside of the home, and there was no fire escape for tenants to use in case of an emergency.
- \$64,000 in total penalties issued to Evelyn Reyes, the owner of 1179 Forrest Avenue, Bronx, for the illegal alteration of a legal one-family home converted to an illegal five-family home.
- \$51,000 in total penalties issued to Shout 1, LLC, the owner of 151 2nd Avenue, Manhattan, for the illegal subdivision of a single apartment into three separate dwelling units, without proper egress, and fire safety systems. The illegally created bedrooms were being rented out for short-term transient stays.
- \$35,375 in total penalties issued to Caralex Holdings LLC, the owner of 215 East 27th Street, Manhattan, for safety violations and the illegal conversion of the building's cellar to illegal transient use. The cellar was being illegally rented out for short-term stays, contrary to the building's Certificate of Occupancy, and without sprinklers and fire alarm systems.
- \$10,000 in penalties issued to CO Three Park Avenue Building, the owner of 3 Park Avenue, Manhattan, for failure to provide required safety measures and overhead protection after filing a Local Law 11 Façade Inspection Safety Program (FISP) report that indicated that the building's façade was unsafe.
- \$9,600 in total penalties issued to Kone Elevator for filing two false Certificates of Correction with the Department, which incorrectly claimed that a malfunctioning elevator alarm and inoperative elevator car phone had been fixed at 33-25 Parsons Boulevard, Queens.
- \$7,500 in total penalties issued to Christopher Plati, the owner of 303 East 83rd Street, Manhattan, for making false statements regarding occupied housing in a rent-controlled or rent-stabilized building on three separate applications.

- \$2,500 in penalties issued to Raymond Naylor, the owner of 26 Sea Breeze Lane, Staten Island, for misrepresenting himself as a Licensed Master Plumber and advertising plumbing on the side of a company vehicle without a DOB-Issued Master Plumber's License.
- Following an investigation of TR-1 submissions and Special Inspection practices filed by Professional Engineer Jamal Sabaha as Technical Director of Epic Testing, the Department found that Mr. Sabaha failed to dispatch qualified Special Inspectors to perform welding and bolting inspections and concrete special inspections at multiple sites, and also failed to file multiple required reports for numerous job sites. The Department filed a petition with the Office of Administrative Trials and Hearings to disqualify Sabaha from the performance of all Special Inspections, and he agreed to a three-year surrender of all Special Inspection privileges, effective May 1, 2019.
- Special Inspection Agency Epic Testing Services Inc. was found to have failed to properly maintain inspection records and oversee special inspections, and voluntarily surrendered its license effective May 1, 2019
- Following an audit of professionally certified applications submitted by Professional Engineer Naresh Mahangu, the Department found multiple code non-compliances, including proposing work under an Alteration Type 2 that requires an Alteration Type 1 permit for a new or amended Certificate of Occupancy (CO), failure to comply with accessibility requirements for people with disabilities, inadequate egress issues, and various other violations of the NYC Zoning Resolution and NYS Multiple Dwelling Law. Mr. Mahangu agreed to a voluntary surrender of his Professional Certification and Directive 14 Privileges, with the exception of solar job applications, effective May 6, 2019.
- Following an audit of professionally certified applications submitted by Registered Architect Alix Michel, the Department found multiple code non-compliances, including proposing work under an Alteration Type 2 that requires and Alteration Type 1 permit for a new or amended CO, failure to comply with accessibility requirements for people with disabilities, inadequate egress issues, and various other violations of the NYC Zoning Resolution and NYS Multiple Dwelling Law. Mr. Michel agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective May 15, 2017.
- Site Safety Manager Eric Segarra was disciplined by the Department for submitting false and misleading documentation regarding the training of a Site Safety Manager trainee. Segarra agreed to pay a fine of \$10,000 and to have his license put on probation for one year, effective May 14, 2019.
- Master Electrician Joseph L. Speziale was disciplined by the Department for violation of the direct employment provision of the Electrical Code, and for failing to be properly established. Speziale agreed to pay a fine of \$8,000 and to have his license put on probation for one year, effective May 29, 2019.
- Construction Superintendent Jose I. Martinez was suspended by the Department for multiple instances of failing to discharge the duties of a Construction Superintendent at

worksites around the city. Martinez agreed to a seven-month suspension effective May 5, 2019, and to have his license put on probation for a period of three years following the suspension period.

- The owner of 106 Lawrence Avenue, Brooklyn, was cited for illegal use of the residential property for commercial and dead vehicle storage. The owner initially agreed to discontinue this illegal use, however a follow-up compliance inspection conducted by the Department found the owner had not complied with the agreement and continued to use the property for vehicle storage. As a result, DOB has padlocked the property.



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