

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from May 2020 to Deter Bad Actors and Keep New Yorkers Safe

New York, NY — Today, the New York City Department of Buildings released its May 2020 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:

- 11 violations and \$299,625 in penalties, including daily penalties, issued for illegal building alterations at two separate locations.
- 15 violations and \$165,000 in penalties issued for failure to safeguard construction sites on 13 separate occasions.
- Three violations and \$30,000 in penalties issued to three different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for May 2020:

Brooklyn

- \$10,000 in penalties issued to Tracking Number Holder KMA Construction Corp. for failure to safeguard a construction site at 1968 Batchelder Street, Brooklyn. DOB inspectors observed that the pipe scaffold on site was improperly installed, including missing planks, missing end rails, missing toe boards, and improperly secured wooden base plates.
- \$10,000 in penalties issued to General Contractor Red Apples LLC after a DOB inspection of the construction site at 339 Cornelia Street, Brooklyn, found that there was no designated Construction Superintendent or competent person on site while work was ongoing, and that the required site safety log was not on site.

- \$7,500 in total penalties issued to Moffat Holdings LLC, the owners of 338 Moffat Street, Brooklyn, after DOB inspectors discovered new gas meters and gas piping had been installed in the building and was in use without required DOB inspection or certification that the system was safe to use.
- \$7,500 in total penalties issued to Safety Registrant Happy Living Development for multiple violations at a demolition work site at 229 9th Street, Brooklyn, including inadequate housekeeping at the job site, failure to implement adequate waterproofing measures for the adjacent building, and failure to properly install a supported scaffold at the site per code.
- \$5,000 in total penalties issued to General Contractor Prestige Construction NY for failure to properly install a pipe scaffold at a construction site at 2266 Pacific Street, Brooklyn, including missing guardrails and missing planking.

Manhattan

- Following actions taken by the Department, including a criminal court summons and fines, the Department was able to gain compliance from 464-68 West 51 Street HDFC, the property owners of 748 10th Avenue, Manhattan, to repair the building's façade and remove a long-standing sidewalk shed that was up for over ten years. After the corporate defendant failed to appear in court, DOB also obtained a default judgment against them in the amount of \$25,000.
- \$12,500 in total penalties issued to General Contractor M-Azad Construction Inc. for failure to safeguard an excavation work site at 440 East 115th Street, Manhattan. DOB inspectors on site observed that the excavation pit did not have two means of egress as required, and construction material at the site was blocking the fire escape of an adjacent occupied building.
- \$12,500 in penalties issued to Wing Ning Corp., the owners of 171 East Broadway, Manhattan, after a section of masonry façade at the second story of the building collapsed and fell to the sidewalk below.
- \$12,500 in penalties issued Safety Registrant Tishman Construction Corp. after a composite material enclosure collapsed at the first floor of 540 West 25th Street, Manhattan, and fell to the sidewalk below.
- \$12,500 in penalties issued to Safety Registrant Marlon Cole after a worker cut a gas pipe at a work site at 208 Elizabeth Street, Manhattan, causing a gas leak. It was determined that the gas line had not been capped prior to the start of work, as required by the code.
- \$10,000 in total penalties issued to Safety Registrant Casur Management & Maintenance for multiple violations at a construction site at 48 Allen Street, Manhattan. DOB inspectors on site found that the safety registrant failed to

ensure the workers attended a pre-shift safety meeting prior to the start of the work day, failed to keep records for any pre-shift safety meetings, and allowed workers to install a 40 foot supported scaffold in an elevator shaft without a DOB permit.

- \$6,250 in penalties issued to 521 East 83rd Street, Corp., the owners of 521 East 83rd Street, Manhattan, for failure to maintain the building. DOB inspectors found that the masonry façade at the front of the building was deteriorating.
- \$5,000 in penalties issued to General Contractor K S K Construction Corp. for multiple fire safety violations at a construction site at 122 East 32nd Street, Manhattan. DOB inspectors on site observed that gas cans were being illegally stored near cardboard boxes, and that the fire extinguishers on site were not being properly maintained and did not have required monthly inspection tags.
- \$5,000 in penalties issued to Ascot Owners, Inc., the owners of 407 Park Avenue, Manhattan, for a zoning violation due to a Privately Owned Public Space (POPS) that was found to be improperly maintained per the discretionary zoning agreement. DOB inspectors found a water fountain at the POPS was not functioning as required.
- \$5,000 in penalties issued to Resnick Gracie News LLC, the owners of 401 East 80th Street, Manhattan, for a zoning violation due to a Privately Owned Public Space (POPS) that was found to be improperly maintained per the discretionary zoning agreement. DOB inspectors found that design changes had been made to the POPS open air café without prior approval from the NYC Department of City Planning (DCP).

Queens

- \$10,800 in total penalties issued to Tracking Number Holder Steel City Group Corp./Navjot Kaur for multiple site safety violations at a construction site at 32-18 34th Street and 32-20 34th Street, Queens. DOB inspectors on site found that the sidewalk shed at the site was not properly installed as per the code, and that the sidewalk shed was blocking the fire escape of the adjacent occupied building.
- \$10,000 in penalties issued to General Contractor The Sweet Construction GR (Steven Alessio) for failure to safeguard a construction site at 33-02 Skillman Avenue, Queens. DOB inspectors on site found three scaffold workers at the top of the nine-story building were not properly tied off with safety harnesses as required.

Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Registered Architect Robert Arthur King, the Department found major code non-

compliance issues, including proposing changes in use, egress and/or occupancy under Alteration Type 2, Directive 14 applications which requires Alteration Type 1 applications for a new or amended Certificate of Occupancy; increasing the degree of non-compliance with Zoning yard regulations; inadequate egress issues; failure to provide an automatic sprinkler system; inadequate light, air, ventilation, and/or minimum room sizes; and various other violations of code and rules. Mr. King agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective May 1, 2020.

- Following an audit of six professionally certified applications submitted by Professional Engineer Oleg Ruditser, the Department found major code non-compliance issues, including proposing changes in use, egress and/or occupancy under Alteration Type 2, Directive 14 applications which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; inadequate egress issues; failure to provide an automatic fire-extinguishing system in a commercial kitchen; incorrectly indicating a Certificate of Harassment was not required from NYC HPD; failure to provide an automatic sprinkler system; proposing an increase in the degree of Zoning non-compliance; inadequate accessibility for persons with disabilities; and various other violations of code and rules. Mr. Ruditser agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective May 1, 2020.
- Following an audit of five professionally certified applications submitted by Registered Architect Brent Porter, the Department found major code non-compliance issues, including proposing changes in use, egress and/or occupancy under Alteration Type 2, Directive 14 applications which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; inadequate egress issues; violations of Zoning bulk and yard regulations; failure to provide an automatic sprinkler system; inadequate accessibility for persons with disabilities; and various other violations of code and rules. Mr. Porter agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective May 22, 2020.
- Following an audit of five professionally certified applications submitted by registered Architect Christopher Teeter, the Department found major code non-compliance issues, including proposing changes in use, egress and/or occupancy under Alteration Type 2, Directive 14 applications which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; inadequate egress issues; proposing a use not permitted as-of-right in the Zoning District; inadequate accessibility for persons with disabilities; and various other violations of code and rules. Mr. Teeter agreed to a voluntary surrender of his Professional Certification and Directive 14 privileges, effective May 27, 2020.
- Special Rigger Luan Sela was disciplined by the Department for failing to keep his company's insurance policies up to date, and for failure to notify the Department of the expiration of these policies. Mr. Sela agreed to a stipulation,

paying a \$5,000 fine, as well as a one-year probation term for his license, effective May 28, 2020.

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

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