

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

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

**New York, NY** – Today, the New York City Department of Buildings released its June 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 June, including:

- 37 violations and \$415,000 in penalties issued for failure to safeguard construction sites on 36 separate occasions.
- 35 violations and \$764,050 in penalties, including daily penalties, issued for illegal building alterations at six locations.
- 13 violations and \$129,562 in penalties, including daily penalties, issued for illegal transient use at four locations.
- 13 violations and \$145,000 in penalties issued to 12 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for June 2021:

### **Brooklyn**

- \$37,500 in total penalties issued to 1802 W 8 St LLC, the owners of 142 Highlawn Avenue, Brooklyn, for illegal construction work in the building performed without permits, and for a failure to safeguard the work site. A DOB inspection of the building found that the all of the firestopping material was stripped from the walls of the public hallways inside the building, posing a fire safety hazard.
- \$37,500 in total penalties issued to MCH Realty LLC, the owners of 77 Schaeffer Avenue, Brooklyn, for the illegal conversion of a legal two-family home into an illegal four-family home with addition of two illegal Single Room Occupancy (SRO) units on

the third floor. An additional violation was issued for construction work performed at the location without DOB permits.

- \$28,500 in total penalties issued to Khal Zichrom Avrohom for failure to comply with a previously issued DOB Stop Work Order at a construction site at 3203 Bedford Avenue, Brooklyn. DOB inspectors found that construction work was ongoing at the site contrary to the Stop Work Order, that the Stop Work Order notice at the site been tampered with, and that the safety conditions related to the Stop Work Order had not been resolved.
- \$27,500 in total penalties issued to R.C. Structure Inc. for multiple crane violations issued at a construction site at 2006 Surf Avenue, Brooklyn. DOB inspectors found that a mobile crane had been partially assembled at the site without a required crane notice, with no approved rigging plans, no Master Rigger on site to supervise the operations, no safety logs, and no certificate of on-site inspection.
- \$25,000 in penalties issued to Construction Superintendent Moshe Nussenzweig, for a failure to perform his required duties at a work site at 926 Bedford Avenue, Brooklyn, after metal thermal insulation fell off a parapet wall at the site. A subsequent DOB inspection after the incident determined that required safety logs for the site were not being updated, the Construction Superintendent failed to notify DOB about the incident, and steps to secure the site were not taken even after the Department issued a weather advisory alert for high winds.
- \$20,000 in total penalties issued to General Contractor Global Home Improvements, after a scaffold on top of a needle beam collapsed at a work site at 535 Grand Street, Brooklyn, and landed on an adjacent property. Violations were issued to the contractor for a failure to safeguard the work site, failure to adequately maintain required safety logs, and failure to provide records that pre-shift safety orientations had been provided to the workers on site.
- \$12,250 in total penalties issued to General Contractor Singla Concepts Inc., after a DOB inspection of a construction site of a four story-story building at 455 Lexington Avenue, Brooklyn, found that the work site was open to the public without protection for the entrances, the job site fence was not properly maintained, and an 18-foot drop at the site was not properly secured.
- \$10,625 in total penalties issued to General Contractor Pacific Rim LLC, after a DOB inspection of a construction site at 30 East 98th Street, Brooklyn, found that the contractors did not provide workers on site with a site safety orientation, work platforms were found to be unsecured, there were missing guardrails, missing roof protection, and an unsafe supported scaffold.
- \$6,250 in total penalties issued to Ella Goode, the owner of 1106 Gates Avenue, Brooklyn, after a DOB inspection found a gas line and bathroom had been installed in the cellar without permits and also for gas service being supplied to the line without being properly tested and inspected.

- \$2,500 in penalties issued to Williamsburg Lofts LLC, the owners of 386 Wythe Avenue, Brooklyn, for failure to file an adequate Tenant Protection Plan with the Department, a required item for construction in an occupied building. A DOB review of the Tenant Protection Plan determined that it did not include specific means and methods in the fire safety section showing how tenants would be protected.
- The owners of 2795 Cropsey Avenue, Brooklyn, were cited for using the premises as an illegal contractor’s yard and buildings material storage business. Prior to a hearing scheduled at OATH, the owners entered into a stipulation with the Department, agreeing to discontinue the illegal use. A subsequent inspection by DOB revealed that the illegal use had not been discontinued. As a result, DOB issued an Order of Closure at the premises. The property will be padlocked if the illegal use is not discontinued.



- The owners of 5502 Flatlands Avenue, Brooklyn, were cited for using the premises as an illegal contractor’s yard and landscaping wood chipping business. Prior to a hearing scheduled at OATH, the owners entered into a stipulation with the Department, agreeing to discontinue the illegal use. A subsequent inspection by DOB revealed that the illegal use had not been discontinued. As a result, the premises have been padlocked.



## **Bronx**

- \$12,500 in penalties issued to Luis Sinchi, the owner of 1148 Fteley Avenue, Bronx, for the illegal conversion of the legal four-family home into an illegal 5-family home, by installing an apartment in the cellar without permits or approvals from DOB. The illegal cellar apartment was discovered by DOB following a fire inside of the building.

## **Manhattan**

- \$27,500 in total penalties issued to Safety Registrant Debono Bros. Builders, for a failure to safeguard a construction site at 3 Riverside Drive, Manhattan, after a DOB inspection found a ladder leaning next to a high-voltage circuit breaker and wires, the site had inadequate housekeeping, there were missing guard rails at the site, and the design drawings were not kept on site as required.
- \$10,000 in total penalties issued to Tracking Number Holder Canido Basonas Construction, after a DOB inspection of the 22-story building construction site found that a parapet at the roof level had been removed, but no guard rail had been installed in its place. In addition, DOB inspectors found that a supported scaffold and a make-shift hoist had been installed at the site without approved plans, and also that a section of the parapet wall as improperly secured.
- \$6,250 in penalties issued to Knocklofty Mgmt LLC, the owners of 155 East 52nd Street, Manhattan, for failure to file acceptable façade reports for the building as required by the city's Façade Inspection and Safety Program (FISP), in two consecutive cycles.
- \$6,125 in penalties issued to Larkspur LLC, the owners of 304 West 117th Street, Manhattan, for making false statements on a Certificate of Correction filing related to off-street parking spaces. The owners had previously filed a Certificate of Correction with the Department which included photographic evidence showing that they had restored illegally removed parking spaces at the property. A subsequent DOB inspection determined that the parking spaces in the photos were much smaller than stated in the filing, and contrary to the Zoning Resolution.
- \$5,000 in total penalties issued to New York Stock Exchange Inc. Tax Dept., the owners of 2 Broad Street, Manhattan, after a DOB inspection determined that the elevator devices in the building were missing required door lock monitor systems.



- \$3,750 in penalties imposed on 40 East 9th Street Owner's Corp, for displaying three accessory signs advertising parking at 40 East 9th Street, Manhattan, without DOB permits.



- \$3,750 in penalties imposed on DS and D Land Company LLC, for displaying three accessory signs advertising parking at 500 3rd Avenue, Manhattan, without DOB permits.



- The owners of 2847 Frederick Douglass Boulevard, Manhattan, had been previously cited on multiple occasions for failure to maintain the façade of the five-story residential building. In 2019, a DOB inspection of the property found that bricks were falling off the side of the building and on to an adjacent NYC Parks Department property, which required the adjacent park to be vacated. Litigation was brought by the city against the property owners in 2020 for their continued failure to make repairs, which successfully compelled the owners to begin façade repairs at the building. In May 2021 the vacate order was lifted at the park.

## Queens

- \$52,800 in penalties were issued to Yee Cheung Chung, the owner of 147-11 35th Avenue, Queens, for the illegal conversion of the legal three-family home into a six-family home. An inspection of the property determined that illegal apartments had been added in the cellar, the first floor and second floor, without permits and approvals from DOB. An additional violation was issued for the owner's failure to comply with a previously issued DOB Vacate Order at the property.
- \$25,000 in penalties imposed against Aragon Realty Inc, for displaying an advertising sign at 40-23 Main Street, Queens without a permit, without the required decal, failing to use a licensed sign hanger, and failing to register as an Outdoor Advertising Company. The illegal sign has been removed.



- \$20,000 in total penalties issued to General Contractor J&D Carrying & Construction, after a DOB inspection of a work site at 113-13 76th Road, Queens, found that there was no construction superintendent or competent person on site, the site was not properly safeguarded, and workers were not wearing hard hats in areas where wires were hanging down from the ceiling, posing a hazard.
- \$12,500 in total penalties issued to Tracking Number Holder KMN Builders Inc., after a DOB inspection of a construction site for a two-story building at 72-35 Broadway, Queens, found that the required site safety plans were not on site, the supported scaffolds were not installed according to the manufacturer's instructions, shoring work at the site was not installed as per the approved plans, and the contractors did not have workers' compensation insurance.

- The owners of 135-08 142nd Street, Queens, were cited for using the premises as an illegal parking lot and junk storage. Following an OATH hearing resulting in a favorable Report & Recommendation, an Order of Closure was posted at the property. The gates to the lot will be padlocked if the illegal use is not discontinued.



- The owners of 64-56 Admiral Avenue, Queens, were cited for using the premises for an illegal ironworks contractor's establishment. Following an OATH hearing resulting in a favorable Report & Recommendation, an Order of Closure was posted at the property, and the premises were padlocked. The owners of the property submitted a request to rescind the Order of Closure and remove the padlocks on the condition that they would discontinue the illegal use. A recent inspection by DOB found that the illegal use had been discontinued. DOB will continue to monitor the property for compliance.





- The owners of 159-17 Meyer Avenue, 112-05 159th Street, and 111-25 159th Street, Queens, were cited for using the three neighboring properties as a group of illegal ironworks contractor's establishments. The owners had previously entered into a stipulation with the Department, agreeing to discontinue the illegal use of the ironwork businesses, however, a recent inspection revealed that the illegal use had not been discontinued. As a result, DOB has padlocked the properties.





## Construction and Design Professionals

- Following an audit of five professionally certified applications submitted by Professional Engineer Luis Pichardo, the Department found major non-compliance issues, including filing an Alteration Type 2 application despite proposing changes in use and/or occupancy, which require an Alteration Type 1 application for a new or amended Certificate of Occupancy; proposing a physical culture establishment without obtaining BSA approval; failure to provide an automatic fire-extinguishing system and exhaust hood for a commercial kitchen failure to provide adequate means of egress; failure to provide adequate light, air and ventilation; and various other violations of code and rules. Based on these audits, DOB offered a voluntary surrender of Mr. Pichardo's Professional Certification and Directive 14 privileges to which he signed, and which took effect on June 28, 2021.

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

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