

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

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

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

- 44 violations and \$500,000 in penalties issued for failure to safeguard construction sites on 42 separate occasions.
- 53 violations and \$943,575 in penalties, including daily penalties, issued for illegal building alterations at eight locations.
- 16 violations and \$210,875 in penalties, including daily penalties, issued for illegal transient use at five locations.
- 11 violations and \$111,000 in penalties issued to 11 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for July 2021:

Bronx

- \$10,000 in penalties issued to General Contractor BE Bronx Builders LLC for failure to maintain safety measures on a construction site at 140 West Fordham Road, Bronx, after a construction worker was injured during hoisting operations at the location. A DOB inspection found that a forklift involved in the incident was being operated by an individual without a license or training.
- \$6,250 in penalties issued to Philomena J.M. McNamara, the owner of 6045 Riverdale Avenue, Bronx, for failure to maintain the building. A DOB inspection found that that the exterior walls of the building had fallen into disrepair, the roof of

the building had caved in, and the rear garage on the property had also fallen into disrepair.

Brooklyn

- \$38,125 in total penalties issued to Kraus Management Inc., the owner of 260 South 1st Street, Brooklyn, for failure to maintain the exterior walls of the building, and for failure to provide adequate safety measures following the filing of an unsafe façade inspection report.
- \$37,500 in total penalties issued to MCH Realty LLC, the owner of 77 Schaeffer Street, for the illegal conversion of a two-family home into a four-family home. A DOB inspection of the property had determined that illegal construction work had been performed without permits to create two single room occupancy (SRO) units on the third floor of the building. DOB inspectors also found unpermitted gas piping had been installed for dryers on the second floor of the building.
- \$25,000 in penalties issued to General Contractor Werize Inc. for failure to safeguard a construction site at 243 4th Avenue, Brooklyn, related to a 2019 incident when a supported scaffold installation collapsed and fell off the bulkhead of the building, resulting in injuries to multiple people below and damage to the neighboring buildings. An inspection following the incident determined that the scaffold was not properly secured using tie backs. This penalty represents a portion of the enforcement actions taken by the Department related to this incident.
- \$20,312 in penalties issued to General Contractor Hollis NYC Construction after a DOB inspection of a four-story building under construction at 30 East 29th Street, Brooklyn, found that there were no site safety plans on site, gasoline containers were stored on site in an unsafe manner, there were no overhead protection measures in place, and workers using a pump jack scaffold at the location did not have fall prevention systems and did not have required user certificates.

- \$20,000 in penalties imposed on Luna Media Inc, for displaying an outdoor advertising sign at 1321 Flatbush Avenue, Brooklyn, without a permit, without the required decal, in a prohibited zone, and for failing to use a licensed sign hanger. The sign has been removed.



- \$13,125 in penalties issued to General Contractor Domovoy LLC for failure to safeguard a construction site at 1107 Rogers Avenue, Brooklyn, after a DOB inspection found that the approved design drawings for the project were not on site, the contractor was not implementing adequate housekeeping practices, and construction workers were not using appropriate fall protection measures at the roof of the site.
- \$12,500 in total penalties issued to Safety Registrant Big Dream Developers LLC for failure to safeguard a demolition work site at 391 Meeker Avenue, Brooklyn, after a DOB inspection found that two-story retaining wall at the site was not properly secured, and was posing a potential hazard to a neighboring property. In addition, the documents for the approved demolition plans were not on site at the time of the inspection, as required.
- \$10,000 in penalties issued to Safety Registrant Villano Construction LLC after a DOB inspection of a stucco repair work site at 66 Gravesend Neck Road, Brooklyn, found that a supported scaffold at the site was missing guard rails, was not fully planked, and was being used by workers without required training certificates.
- \$10,000 in penalties issued to General Contractor WCC Builders LLC for a failure to safeguard a construction site at 915 Ocean Parkway, Brooklyn. A DOB inspection of the site found that there was no construction fence in place, and the site was open to the public. DOB inspectors found evidence that children had been able to access the site.

- \$2,500 in penalties issued to 200-202 Realty LLC, for displaying an outdoor sign with excessive height and surface area.



- The owners of 2760 Harway Avenue, Brooklyn, were cited for using the premises as an illegal commercial storage yard for a hardware store in the neighboring building. Prior to a hearing scheduled with the Office of Administrative Trials and Hearings (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 has posted an Order of Closure at the premises. The property will be padlocked if the illegal use is not discontinued.



Manhattan

- \$20,000 in penalties issued to Gemma Holdings, the owner of 137 Sullivan Street, Manhattan, for the illegal transient use of an apartment in the building. An investigation determined that an apartment had been rented out on Airbnb for periods less than 30 days. Additional violations were issued for inadequate egress, missing sprinklers and inadequate fire alarm systems required for transient use.
- \$20,000 in penalties issued to AJ Clarke Real Estate Corp., the owner of 33 West 89th Street, Manhattan, for filing plans for an interior demolition inside of the building which falsely stated that the building was unoccupied. A violation was also issued for failure to file a Tenant Protection Plan for the demolition project, which is required in an occupied building.
- \$10,000 in penalties issued to Safety Registrant Gilbane Residential Const. for failure to maintain safety measures at a construction site at 150 East 78th Street, Manhattan, after a hydraulic excavator lifted a beam and swung that beam into the windshield of the excavator, shattering the glass and causing injury to the operator. A DOB inspection of the site after the incident determined that the operator of the excavator did not have the required training to use the machine.
- \$10,000 in penalties issued to Tracking Number Holder AR Contracting Group Inc. for failure to safeguard a construction site at 200 East 33rd Street, Manhattan, after an unsecured scaffold rope swung into the building, and broke the window of an apartment dwelling unit.
- \$10,000 in penalties issued to 24/7 Lifting Inc. for using a knuckle boom truck to perform illegal crane operations at 403 Avenue of the Americas, Manhattan, to lift mechanical equipment on to a building roof. It was determined that the boom truck had been used for this lift without required approvals from the Department and plans for the lifting operations.
- \$5,000 in penalties issued to Safety Registrant Anthony T. Rinaldi for failure to notify the Department after a piece of stucco fell off the exterior wall of a 38-story building at 215 Pearl Street, Manhattan, and landed on an adjacent roof.
- \$3,125 in penalties issued to Professional Offices Inc. Terris Realty, the owners of 121 East 60th Street, Manhattan, for failure to file a required sprinkler report with the Department. NYC requires all office buildings that are over 100 feet in height to file a sprinkler report indicating compliance with Local Law 26 of 2004.
- \$3,125 in penalties issued to NYC 6400 Holdings LLC, the owners of 15 West 64th Street, Manhattan, for failure to maintain the building's exterior walls. A DOB

inspection found that the front façade of the building had fallen into disrepair, with broken bricks, missing mortar, and detached stucco.

- \$2,500 in penalties issued to Safety Registrant Master Works Contractor 1 for implementing an inadequate tenant protection plan for a construction project inside of an occupied building at 168 Elizabeth Street, Manhattan. It was determined by DOB that the contractor’s tenant protection plan lacked specifics related to the means and methods that would be used to protect tenants from ongoing construction operations.

Queens

- \$227,500 in total penalties issued to Dogan Kamilli, the owner of 30-35 68th Street, Queens, after it was discovered that the one-family house was converted into 15 single room occupancy (SRO) units, with 7 of the units occupied by transient guests including Airbnb customers. Violations were also issued for illegal work without a permit to construct the SRO units, adding bathrooms and three kitchens with gas lines.”
- \$20,000 in penalties imposed on LDB Properties Inc and Luna Media Inc, for displaying an outdoor advertising sign at 153-40 Hillside Avenue, Queens, without a permit and in a prohibited zone. DOB will be monitoring the property for compliance with our orders to remove the illegal advertising sign.



- \$15,000 in total penalties issued to General Contractor Kaietur Construction Inc. after DOB inspectors found workers at a construction site at 60-18 56th Avenue, Queens using a supported scaffold that was found to be unstable, missing base plates, missing guard rails, missing toe boards, and missing a fall protection system.

- \$12,500 in penalties issued to 3861 Realty LLC, the owner of 87-37 Palmetto Street, Queens, after a DOB inspection found that interior demolition work was proceeding at the site, in violation of a previously issued DOB Stop Work Order. When DOB inspectors discovered that the Stop Work Order was not being complied with, the workers on site fled the scene.
- \$10,000 in penalties issued to General Contractor A2Z Construction Group Inc. for failure to safeguard a construction site at 57-41 Granger Street, Queens, after ongoing construction operations at the location caused cracks to develop at a neighboring building.

Construction and Design Professionals

- Registered Architect Andrew Formicella was disciplined for filing 14 professionally certified applications with the Department, despite being ineligible to do so due to an active one-year probation period on his license that was imposed by the New York State Board of Regents. Following a trial at the Office of Administrative Trials and Hearings (OATH), a DOB Commissioner's Order was issued on July 15, 2021, suspending Mr. Formicella's filing privileges with DOB for a period of one year, and excluding him from the Department's Professional Certification and Directive 14 programs.
- Following an audit of four professionally certified applications submitted by Registered Architect Kyu Myeon Lee, the Department found major code 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; failure to provide proper fire-rated materials; increasing the degree of Zoning non-compliance in a non-complying building; failure to provide adequate means of egress, failure to provide adequate handicapped accessibility; and various other violations of Code and rules. Based on these audits, DOB offered a voluntary surrender of the respondent's Professional Certification and Directive 14 privileges, which he signed, and which took effect on July 30, 2021.
- General Contractor and Construction Superintendent Fang Ye was disciplined by the Department after engaging in a pattern of failing to allow Department inspectors access to his work sites, and for having a high amount of unpaid fines related to DOB-issued violations. A stipulation was entered into on June 30, 2021, resulting in Mr. Ye's General Contractor registration being suspended for 60 days, and his Construction Superintendent registration being suspended for 30 days.
- Master Sign Hanger Jeffrey Woods was disciplined by the Department for installing signs without the proper permits. A stipulation as entered into on July 15, 2021, resulting in Mr. Woods agreeing to pay a fine of \$5,000, and putting his sign hangers license on probation for a period of two years.

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