

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

### ***Report Highlights DOB Enforcement Outcomes from July 2023 to Deter Bad Actors and Keep New Yorkers Safe***

**New York, NY** – Today, the New York City Department of Buildings released its enforcement bulletin for July 2023, 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. Today’s bulletin includes summaries of DOB-imposed disciplinary actions, including penalties, 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 completed a number of major enforcement actions in July, including:

- 8 violations and \$110,000 in penalties issued for failure to safeguard construction sites on 8 separate occasions.
- 6 violations and \$90,000 in penalties, including daily penalties, issued for illegal building alterations at 1 location.
- 1 violation and \$10,000 in penalties issued to 1 individual for failure to carry out duties of a construction superintendent.

Below are individual enforcement highlights for July 2023:

### **Bronx**

- \$180,000 in total penalties issued to Aron Herrera for violations recorded at 2719 Creston Avenue. DOB inspectors issued violations for illegal alteration after finding the 2-family house altered to a 5-family, with the second floor subdivided and the SROs in cellar, and locking devices on the rooms.
- \$25,000 in penalties issued to GDI Construction LLC for violations recorded at 20 Bruckner Blvd. DOB inspectors issued violations for failure to safeguard after a worker operating a scissor lift without any training suffered a fatal fall. The

manufacturer's handbook requires training before the lift can be used for construction work.

- \$12,500 in penalties issued to Skyward Developers Inc for violations recorded at 1779 Monroe Avenue. DOB inspectors issued violations to the Contractor for not acting reasonably in safety responsibilities after observing large amounts of concrete masonry units (CMUs) and sandbags stacked in one area of floor under construction, which could cause floor to buckle.
- \$10,950 in total penalties issued to Trieria Contracting Inc. for violations recorded at 825 Gerard Ave., 108 East 157 St. 107 East 157 St., and 3764 Bronx Boulevard. DOB inspectors issued violations at four construction sites for having no viewing panel on construction fences, unsecured debris netting, and sidewalk sheds with defective parts.

## Brooklyn

- \$240,000 in total penalties issued to Vishan Ghani for violations recorded at 241 Arlington Avenue. DOB inspectors issued the violations for illegal alteration after finding the 1-family house altered to a 5-family.
- \$15,000 in total penalties issued to Macquesten Construction Management for violations recorded at 1510 Broadway. While responding to a gas leak, DOB inspectors issued violations for failure to safeguard the construction site after observing an inadequate guardrail system at an excavation site, as well failure to dig test holes by hand prior to using an excavator.
- \$10,000 in penalties issued to Refinery Construction LLC for violations issued to 292 Kent Ave. DOB inspectors issued violations for failure to safeguard after a worker fell from a suspended scaffold where no guardrails were in place.
- \$10,000 in penalties issued to Elite GC NY Inc for violations recorded at 429 Avenue U. DOB inspectors issued violations for having a street facing fire escape blocked by construction debris.
- \$8,750 in total penalties issued to Trump Presidential Inc. for violations recorded at 188 Covert Street. DOB inspectors issued violations for illegal occupancy after finding the two-family house used for transient occupancy, in addition to safety violations.
- \$5,000 in total penalties issued to CPS Contracting Co Inc. for violations recorded at 270 19<sup>th</sup> Street. DOB inspections issued violations for failure to provide flagman to protect pedestrians that resulted in closing of sidewalk, as well as for having a concrete truck parked on sidewalk without DOT permit.
- \$2,500 in penalties issued to Best Demo Inc for violations recorded at 1571 Kimball Street. DOB inspectors issued violations after observing only 6 structural columns installed for framing at cellar where the plans called for 9 structural columns.
- \$2,500 in penalties issued to Samuel Teitelbaum for violations recorded at 273 Rutledge St. DOB inspectors issued violations for work without a permit after the finding no permit to enlarge the three-story building to a four-stories.

## Manhattan

- \$146,125 in total penalties issued to 728 Ninth Avenue Limited Liability Company for violations recorded at 783 9<sup>th</sup> Ave. DOB inspectors issued violations for illegal transient use.
- \$27,500 in total penalties issued to The Plaza Condominium Unit 615 for violations recorded at 14 East 82<sup>nd</sup> St. DOB issued violation after finding work on going at the location despite having a Stop Work Order in effect.
- \$25,000 in penalties issued to Circuit for violations recorded at 317 West 45<sup>th</sup> Street. DOB inspectors issued violations for failing to protect public alley after an unsafe façade report was filed.
- \$20,000 in penalties imposed on Midtown Properties LLC for violations at 700 West 125<sup>th</sup> Street. Inspectors found the location in violation for failure to submit two arterial signs in its sign inventory submission.



- \$10,000 in penalties issued to JC Elite Construction Services for violations recorded at 790 11<sup>th</sup> Avenue. After FDNY was called due to high Carbon Monoxide levels, DOB inspectors issued violations for failure to safeguard after finding several generators and trucks in garage without proper ventilation, leading to the evacuation of a nursery school above the site.
- \$10,000 in penalties issued to Lendlease (US) Construction for violations recorded at 1522 First Ave. DOB inspectors issued violations for failure to safeguard after a public sidewalk collapsed at an evacuation site.
- \$6,250 in penalties issued to Phase 3 Interiors LLC for violations recorded at 11 East 39<sup>th</sup> Street. After receiving reports from FDNY that two workers fell installing a drop ceiling more than 7 feet high, DOB inspectors issued violations for failure to institute safety measures on scaffold after observing baker's scaffold on 25<sup>th</sup> floor without guard rails.

- \$6,250 in penalties issued to 225 Broadway Company B Markowitz for violations recorded at 223 Broadway. DOB inspectors issued violations for failure to install a system of automatic sprinklers as is required.
- \$3,750 in penalties issued to KMR Fifth LLC for violations recorded at 377 5<sup>th</sup> Avenue. DOB inspectors issued violations for illegal occupancy and work without a permit after finding seven rooms created at second floor for a recreation area.
- \$1,250 in penalties issued to CBS Broadcasting Inc. for violations recorded at 500 West 57<sup>th</sup> Street. DOB inspectors issued violations for failure to maintain exterior walls and appurtenances after observing windowsills supported by wood, and loose metal at exterior exposures, and exterior mortar joists missing.
- \$1,250 in penalties imposed on 31 Ninth Ave Corp for violations recorded at 359 9<sup>th</sup> Avenue. DOB inspectors found the respondent in violation for failing to comply with an order of the commissioner to remove a sign structure.



## Queens

- \$426,250 in total penalties issued to Kaur Gurcharan for violations recorded at 84-44 121 Street. DOB inspectors issued violations after finding the legal one family house altered for Single Residence Occupancies with locking devices, in addition to safety violations.
- \$242,500 in total penalties issued to HK Firm 2 LLC for violations recorded at 136 Maple Ave. DOB inspectors issued violations for illegal alterations after finding four extra Single Residence Occupancies on the fourth floor of a six-story multiple dwelling building. Additionally, one SRO with locks blocked fire escape.
- \$28,750 in penalties issued to Peter & Danny Contracting LLC for violations recorded at 118-37 Metropolitan Ave. After DOB was called by NYPD to where a worker fell backwards trying to access a suspended scaffold from a fire escape, DOB inspectors found no inspection reports of parapet or scaffold, and no

overhead protection, tie-off to lifelines, reports of daily meetings, or wood blocks between parapet and scaffold support.

- \$25,000 in total penalties issued to JJK Building Consulting for violations recorded at 96-43 Corona Ave. DOB inspectors issued violations for failure to have a sidewalk shed in place where one was required, as well as no overhead protection at different exposures.
- \$16,000 in total penalties issued to Shiva Heerallal for violations recorded at 137-11 131<sup>st</sup> Avenue. DOB inspectors issued two violations for work without a permit, as well as illegal occupancy, illegal alteration, and failure to maintain the structure after finding the legal 2 family converted to an illegal four-family with conversions in cellar and garage.
- \$15,000 in total penalties issued to Candido Basonas Const Svc for violations recorded at 89-15 Parsons Blvd. DOB inspectors issued violations for failure to report an accident and failure to inspect a suspended scaffold after a suspended scaffold fell with two workers on it, damaging an A/C and window at the 14-story building.
- \$8,750 in total penalties issued to Qing Lin Revocable Trust for violations recorded at 45-30 163<sup>rd</sup> street. DOB inspectors issued violations for illegal occupancy after finding the two-family house being used for illegal transient occupancy, in addition to safety violations.
- \$1,250 in penalties issues to Weinreb Management LLC for violations recorded at 65-61 Saunders St. DOB inspectors issued violations for failure to maintain structure, a parking garage, after finding cellar and sub-cellar levels in disrepair with cracks in the walls and rebar exposed in areas.
- Petition filed for the owners of 69-52 181<sup>st</sup> Street due to the premises being used for illegal dead vehicle storage. An OATH Trials Petition was filed seeking an Order of Closure.



## Construction and Design Professionals

- DOB's Special Enforcement Team (SET) audited four professionally certified applications submitted by Professional Engineer Sung YI and 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 applications for a new or amended Certificate of Occupancy; failure to provide adequate means of egress; failure to provide adequate accessibility for persons with disabilities; proposing a place of assembly without filing for a place of assembly certificate of operation; failure to provide an adequate automatic sprinkler system; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed. SET provided Respondent with a wind down period to close out open jobs and audits, which concluded on July 1, 2023.
- Site Safety Manager Robert C. Miner was disciplined for failing to notify the Department that he would not be present at his site and that an alternate site safety manager would be serving as the primary site safety manager for a period longer than two consecutive weeks. Pursuant to the stipulation, Miner agreed to a 6-month suspension and 4-year probation of his Site Safety Manager license and to pay a \$5,000.00 fine.
- Master Plumber Angelo Vasilikos was issued a warning letter reminding him to have his business website in compliance with the Administrative Code.