

**DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

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

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

- 21 violations and \$455,375 in penalties, including daily penalties, issued for illegal building alterations at three separate locations.
- 11 violations and \$69,312 in penalties, including daily penalties, issued for illegal transient use of buildings at four different locations.
- 49 violations and \$555,000 in penalties issued for failure to safeguard construction sites on 44 separate occasions.
- 25 violations and \$250,000 in penalties issued to 20 different individuals for failure to carry out duties of construction superintendents.

Below are individual enforcement highlights for September 2019:

**Bronx**

- \$52,500 in total fines issued to Rosemarie Lumley, the owner of 1704 Pitman Avenue, Bronx, for converting a legal two-family home into an illegal four-family residential building by creating additional dwelling units on the first floor and in the cellar without proper permits. It was also determined that the garage had been illegally converted into a laundry.

**Brooklyn**

- \$2,500 in penalties issued to Safety Registrant Sheng Yee Construction Inc., for performing illegal after hours construction work without a proper After Hours Variance (AHV) permit at 800 5<sup>th</sup> Avenue, Brooklyn. DOB inspectors observed six construction workers constructing a concrete masonry unit wall and installing steel beams on the site outside of normal work hours, without the proper permits.
- \$7,500 in penalties issued to Tracking Number Holder High Quality Construction for removing fire stopping material from the walls and ceilings of an occupied residential building at 7215 3<sup>rd</sup> Avenue, Brooklyn, without first applying proper safety protocols. It

was also determined that the site's tenant protection plan for construction work in the occupied building was not properly posted at the location.

- \$25,000 in penalties issued to Tracking Number Holder R.P. Brennan General Contracting for failure to safeguard a construction site at 300 Cadman Plaza West, Brooklyn. DOB inspectors determined that a baker's scaffold was being used by workers at the site, when one of the workers fell off the unsecured scaffold and had to be taken to the hospital for their injuries.
- \$25,000 in penalties issued to Safety Registrant PAV-LAK Contracting Inc., for failure to safeguard a construction site at 540 Fulton Street, Brooklyn. DOB inspectors determined that during construction operations, a concrete blowout occurred, blowing a five-foot by three-foot hole through the masonry wall of the neighboring building, and spilling five cubic yards of concrete into the aisles of a commercial beauty supply store.
- \$20,000 in total penalties issued to 753 LLC, the owners of 753 Pennsylvania Avenue, Brooklyn, for illegal advertising in a residential zone. A recent DOB inspection confirmed that DOB enforcement actions have led to the removal of the illegal sign.
- \$4,375 in total penalties issued to the owners of 128 22 Street, Brooklyn, for illegal advertising signs. A recent DOB inspection confirmed that DOB enforcement actions have led to the removal of the illegal sign.
- The owner of 903 Eagle Avenue, Brooklyn, was cited for illegal use of the property for dead vehicle storage and junk storage. This property was padlocked by the Department for previous non-compliance. The property owner recently submitted a rescission request for the padlock order, and a recent DOB inspection found that the illegal use of the property has been discontinued. The property will be monitored for compliance.

## **Manhattan**

- \$5,000 in penalties issued to General Contractor Locus Construction for failure to file evidence of having worker's compensation and disability insurance while holding permits for construction at 145 West 110<sup>th</sup> Street, Manhattan, as required by the New York City Administrative Code.
- \$2,500 in penalties issued to King Enterprises Ltd, the owner of 28 King Street, Manhattan, for failure to comply with a tenant protection plan for construction in the occupied building. DOB inspectors found dust from an apartment renovation project in the common areas of the occupied building, which tested positive for lead above the legal limit.
- \$2,500 in penalties issued to Tracking Number Holder SB Renovations LLC, for failure to comply with a tenant protection plan for construction in the occupied building located at 256 West 93<sup>rd</sup> Street, Manhattan. DOB inspectors found dust from an apartment renovation project in the common areas of the occupied building, which tested positive for lead above the legal limit.

- \$12,500 in penalties issued to General Contractor DCBE Contracting Inc., for construction work at 149 Avenue B, Manhattan, that did not conform to the approved plans. DOB inspectors observed construction workers working on a five story supported scaffold that was accessed through a window of the building by a wooden plank, without any netting, toe boards, railing or tie bars.
- \$10,000 in penalties issued to Construction Superintendent Stanislav Kargopolov, for failure to perform his required duties at a construction site at 319 East 93<sup>rd</sup> Street, Manhattan. DOB inspectors determined that the respondent was not on site while construction operations were ongoing.
- \$31,375 in penalties issued to 777 Sixth Av Owner LLC, the owner of 777 Avenue of the Americas, Manhattan, after two apartments in the building were found to be illegally rented out for short-term stays on home sharing websites Airbnb and HomeAway.
- \$25,000 in total penalties issued to Safety Registrant Archstone Builders LLC for failure to safeguard a construction site at 424 5<sup>th</sup> Avenue, Manhattan, and for failure to notify DOB of a worker injury. DOB inspectors determined that a cut riser pipe at the site fell into an elevator shaft, striking a construction worker below and damaging a wall in the elevator shaft.
- \$20,000 in total penalties issued to the owners of 309 Spring Street, Manhattan, for illegal advertising signs. A recent DOB inspection confirmed that DOB enforcement actions have led to the removal of the illegal sign.

## Queens

- \$40,000 in total penalties issued to Safety Registrant Triton Structural Concrete for violations at two locations in Queens, 4-50 47<sup>th</sup> Road and 4-44 47<sup>th</sup> Road. During DOB inspections of both locations, it was determined that there were no construction superintendent logs, nor any designated competent person, present on site at the time.
- \$10,000 in penalties issued to General Contractor Venus Group Inc. for failure to safeguard a construction site at 50-05 31<sup>st</sup> Avenue, Queens. DOB inspectors found the construction site was open to an adjacent school playground, after a chain link fence with razor spikes at the site had fallen over.
- The owner of 203-18 116<sup>th</sup> Avenue, Queens, was cited for illegal use of the residential property as a commercial vehicle and junk storage yard. DOB had previously padlocked the property, however a subsequent inspection found that the closure notices were illegally removed and the lot was illegally accessed, resulting in a DOB violation for violating a Commissioner's order. After a criminal court summons was issued for the property owner, recent DOB inspections have determined that the illegal use of the property has been discontinued. The premises will be monitored for compliance.
- The owner of 135-36 Centreville Street, Queens, was cited for illegal use of the side yards of the property as parking, dead vehicle storage and commercial vehicle storage. Prior to a hearing scheduled with the Office of Administrative Trials and Hearings

(OATH) a stipulation was entered into and the property owner submitted evidence that the illegal use was discontinued. The property will be monitored for compliance.

- The owner of 35-55 165<sup>th</sup> Street, Queens, was cited for illegal use of the residential property for commercial food preparation and commercial vehicle storage. Prior to a hearing scheduled with the Office of Administrative Trials and Hearings (OATH) the property owner submitted evidence that the illegal use was discontinued. A recent DOB inspection determined that the illegal use of the property was discontinued, and the property is currently for sale.
- The owner of 140-46 Bascom Avenue, Queens, was cited for illegal use of the residential property for illegal dead vehicle storage. The property owner failed to appear at a scheduled hearing at the Office of Administrative Trials and Hearings (OATH), resulting in DOB padlocking the property.
- The owner of 117-67 140<sup>th</sup> Street, Queens, was first cited for illegal use of the residential property for commercial vehicle storage and dead vehicle storage back in 2008. While the owners of the property had discontinued the illegal use of the property for several years, a recent DOB inspection found that the property owner was once again illegally using the property for commercial purposes. As a result, the Department padlocked the property.

### **Staten Island**

- \$12,500 in penalties issued to Lizeth A. Padilla, the owner of 34 Roe Street, Staten Island, for illegal construction work performed at the location without a permit. Following a fire that occurred in the basement of the building, DOB inspectors found that an illegal kitchen had been created in the basement without proper DOB permits.

### **Construction and Design Professionals**

- DOB issued a Commissioner's Order revoking the license of Master Electrician Robert Covello following a trial at the Office of Administrative Trials and Hearings (OATH), where it was shown that that respondent performed electrical work prior to obtaining DOB permits, allowed individuals not on payroll to perform electrical work, failed to have proper Code-required signage at the business location, and made material false statements on forms filed with the Department.
- DOB suspended the license of Hoist Machine Operator Raymond E Keyes, pending a trial at the Office of Administrative Trials and Hearings (OATH), for failure to maintain a valid driver's license.
- DOB accepted the voluntary surrender of Jiansheng Wu's general contractor registration due to having a high amount of OATH summonses issued to him and his company COS Construction Inc.
- DOB disciplined Construction Superintendent Kashmir Singh for failure to pay prevailing wages to his employees. Singh agreed to pay a fine of \$2,500 and accept one year of probation.

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