

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from September 2022 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 September 2022, 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 September, including:

- 15 violations and \$283,000 in penalties, including daily penalties, issued for illegal building alterations at 3 locations.
- 15 violations and \$165,000 in penalties issued for failure to safeguard construction sites on 15 separate occasions.
- 6 violations and \$60,000 in penalties issued to 6 different individuals for failure to carry out duties of construction superintendents.
- 4 violations and \$24,750 in penalties, including daily penalties, issued for illegal transient use at 1 location.

Below are individual enforcement highlights for September 2022:

Bronx

- \$6,250 in penalties issued to Paco East Fordham Road for a violation recorded at 609 East Fordham Road. The violation was issued for illegal occupancy in the property’s side yard which may be utilized for accessory use, but inspectors observed respondent storing 500+ auto tires at the location, causing a dangerous condition.

Brooklyn

- \$120,000 in total penalties issued to Chen Ya Ping for violations recorded at 713 45th Street. Inspectors issued violations for illegal alteration where a legal two-family home had three additional dwellings in its basement, first floor and second floor.
- \$25,000 in mitigated penalties imposed on 371 Neptune LLC for violations recorded at 371 Neptune Avenue. Inspectors issued violations for displaying an outdoor advertising sign without a permit, in a prohibited zone, for failing to have a licensed sign hanger attach or erect the sign and for failing to register. Evidence was presented that the sign was removed and replaced with a painted accessory sign. The premises will be monitored for compliance.



- \$20,000 in total penalties issued to Amy Yao recorded at 6404 20th Avenue. Violations included two charges of filing false certifications of earlier summonses not found to have been corrected. One for citing illegal occupancy, and one for a ZR violation for a massage parlor.
- \$15,000 in total penalties issued to Supreme Construction of N for multiple violations recorded at 975 East 24th Street, an active GC 1,2,3 excavation site. Violations issued for the following: having no pre-demo notification; no protections at sides of excavation; for inspected work not as per plans; no reference to foundation removal or scope of demolition; having an interior

demolition in process; no documents on site as required; an inadequate construction fence.

- \$10,000 in penalties issued to Chaim Friedman for a violation recorded at 975 East 24th Street. The violation was issued due to Construction Superintendent failing to perform duties. The conditions were cited in the violations assigned to Supreme Construction of N in the above bullet point.
- \$10,000 in penalties issued to Ivan De Roche for violations recorded at 1045 Flatbush Avenue. Violations were issued for the Construction Superintendent's failure to perform their duties at a construction site with 12 safety violations and where a worker fatality had occurred.

Manhattan

- \$15,000 in total penalties issued to Tracking Number Holder Sato Construction Co, Inc. for violations recorded at 240 East 76th Street at a 16-story building. Violations issued for failure to designate a Site Safety Manager, for having a site safety plan that was not DOB-approved, and for a job that was not correctly filed as a site safety job. Additionally, inspectors determined that a pedestrian was hit on the head when a "fist grip" fell off of a sidewalk shed.
- \$12,500 in total penalties issued to 55 West 95 Street Owners, Inc., for violations issued at 55 West 95th Street. Violations issued for the owner's failure to maintain the building and work done without a permit. Inspectors also observed an untested gas line, and five commercial dryers with flex gas hoses and a vent going through exterior wall that was installed in the cellar of the 53-unit dwelling.
- \$12,000 in penalties issued to Safety Registrant Tri-Star Construction Corp for a violation recorded at 85 10th Avenue for failure to follow manufacturer's specifications. The violation was issued after inspectors observed a concrete pour using a gasoline powered engine in a confined space without ventilation, generating excess CO2 and leading to the hospitalization of eight workers.
- \$10,000 in penalties issued to 835 Avenue of the Americas Condominium for violations recorded at 835 Avenue of the Americas. At the scene, inspectors issued violations after observing fences up at West 29th and East 30th Streets blocking public access to the POPS location, despite POPS alteration permit having expired six months prior.
- \$6,250 in penalties issued to Par West LLC for a violation recorded at 143 West 72nd Street. Violation issued for illegal occupancy on 3rd and 4th floors of the structure, which inspectors observed as occupied as physical culture establishments with showers, contrary to the C. of O.
- \$5,000 in total penalties issued to Safety Registrant Ayentador Construction for violations recorded at 20 West 15th Street. Violations were issued for failure to perform special inspections to verify concrete characteristics and failure to provide adequate curing box for samples. The site's special inspector arrived only after a fifth truckload of concrete had already been poured for a ten-story building.

- \$5,000 in penalties issued to 1616 First Company for a violation recorded at 400 East 84th Street. Inspectors observed illegal, incorrect signage at POPs public plaza indication restricted use and time, in violation of ZR 37-752.
- \$5,000 in penalties issued to MCM Developers, Inc., for a violation recorded at 101 Macombs Place. A Stop Work Order (SWO) had been issued in 2021 that stipulated that no work was to be done above the second floor of this location. However, inspectors found that work was ongoing on the 3rd floor of the premises.

Queens

- \$50,000 in default penalties were imposed on Vanna Beepat for violations recorded at 134-01 Linden Boulevard. Inspectors issued violations for displaying an outdoor advertising sign without a permit, in a prohibited zone, for failing to have a licensed sign hanger attach or erect the sign and for failing to register. The premises will be monitored for compliance.
- \$22,750 in total penalties were issued to Avtar Singh for violations recorded at 81-19 102nd Road. Inspectors issued violations for illegal alterations and work without a permit. Following a fire that resulted in the death of a nine-year old child and injuries to nine other individuals, inspectors found an illegal apartment created in cellar.



- \$1,250 in penalties issued to Shore Towers Condominium Metropolitan Pacific Property for violations recorded at 25-40 Shore Boulevard. Violation issued for padlocking and attaching signage stating “Please Walk Bicycles” to a public pedestrian/bike path that is supposed to be maintained for public access.
- A hearing was withdrawn for the owners of 105-57 Van Sicken Street who had been using the premises for illegal automobile repairs and junk storage. Prior to a hearing scheduled with OATH, the owner submitted proof that the illegal use was discontinued so the hearing was withdrawn. The premises will be monitored for compliance.



Staten Island

- \$10,000 in penalties imposed on Top Tomato Plaza, LLC for violations recorded at 3555 Victory Blvd. Violations were issued after inspectors observed a collapsed ceiling located on the building’s second floor which had been used as a game room, resulting in injuries to three children. Inspectors also observed loose wiring throughout the location.

Construction and Design Professionals

- Following an investigation by the Department’s Special Enforcement Team (SET) of Professional Engineer’s Paul Hessel’s submissions and Special Inspection practices as Director of a registered Special Inspection Agency, MT Group, SET filed a petition at OATH to disqualify Hessel from the performance of all Special

Inspections. SET found the Respondent failed to maintain and make available for the Commissioner's review, inspection reports and records for multiple special inspections; assumed responsibility to perform special inspections but subcontracted inspections to inspectors who were not employees of the special inspection agency; failed to dispatch qualified Special Inspectors to perform inspections for Concrete, Masonry, Sprinkler, Deep Foundation Elements, and Subgrade; and failed to record noted deficiencies and/or dates of cure of such deficiencies for a number of inspections. The engineer agreed to a three-year surrender of all Special Inspection privileges.

- Following an audit by SET of four professionally certified applications submitted by Registered Architect Erik Street, SET 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 an automatic sprinkler system; proposing an unpermitted obstruction in the required rear yard, contrary to the Zoning Resolution; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, the architect agreed to a voluntary surrender of Professional Certification and Directive 14 privileges.
- Following an audit of 16 professionally certified sidewalk shed applications submitted by Professional Engineer Ghouse Ismail, SET, in conjunction with Construction Safety Engineering, found major code non-compliances, including insufficient structural detail and design. Based on the audits, the engineer agreed to a voluntary surrender of Professional Certification and Directive 14 privileges.
- Following an audit by SET of five professionally certified applications submitted by Registered Architect Csanad Bodnar, 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 an automatic fire alarm system; failure to provide accessibility for persons with disabilities; failure to provide an automatic sprinkler system; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, the architect agreed to a voluntary surrender of Professional Certification and Directive 14 privileges.
- Master Electrician Simeneh Semea 12179 was disciplined for failing to have workers on company payroll, failing to provide payroll records, failing to discharge the duties of a responsible representative of an electrical firm, and for not being properly established. Pursuant to the Stipulation, the electrician agreed to a one-year suspension effective immediately, as well as a \$15,000 fine, a five-year period of probation following the suspension, and to become disaffiliated from his current electrical firm.
- Master Electrician Bernard Farsky was disciplined for failing to have workers on the payroll of his registered electrical business and for having a non-code

compliant business sign. Pursuant to the Stipulation, the electrician agreed to pay a fine of \$3,000 and have his license put on probation for one year.