



The City of New York
Department of Investigation

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DOI ARRESTS 110 ON WARRANTS FOR FIRE AND BUILDING CODE VIOLATIONS
-Arrests expand DOI's ongoing effort to bolster City's enforcement of safety code violations-

ROSE GILL HEARN, Commissioner of the Department of Investigation ("DOI"), announced today that a month-long, five-borough sweep resulted in the arrest of 110 individuals on outstanding warrants for failing to appear in criminal court to address fire and building code violations. This year, DOI joined forces with two other City agencies, the Fire Department ("FDNY") and the Department of Buildings ("DOB"), to track down and arrest violators who ignored or refused to remedy violations, including in two illegal Single Room Occupancies ("SROs") in Queens. This coordinated initiative, spearheaded by DOI, to bring charged safety code offenders to justice, highlights the legal obligation of property owners and all persons to maintain safe conditions and to respond in court to the City's legal notices of violations requiring corrective action.

DOI Commissioner Rose Gill Hearn said, "We need no reminder of the tragic consequences when individuals flout building and fire codes. Ignoring violations that jeopardize public safety is not an option and will expose the violator to criminal processes, including arrest, and penalties. DOI is pleased to team with fellow City agencies to attack this important issue."

Fire Commissioner Salvatore J. Cassano said, "It is mind-boggling that businesses and individuals choose to ignore fire code violations issued by our firefighters and fire inspectors. The codes are there for one reason only - to protect the employees and customers in these establishments, as well as the firefighters who may have to respond to fires at these locations. I want to thank Commissioner Gill Hearn and her team of investigators, as well as our Fire Marshals, for their efforts to improve workplace and public safety by cracking down on violators."

DOB Commissioner Robert D. LiMandri said, "Unlicensed construction work and illegal apartments can put lives in danger, and property owners and contractors who are willing to ignore the law to make a profit must be brought to justice. New Yorkers depend on us to ensure safe and lawful construction, and by joining forces with DOI, this citywide sweep sends a clear message that we will do everything in our power to hold these people accountable. I applaud the efforts of our inspectors, and I would like to thank Commissioner Gill Hearn and her staff for their work in this successful investigation."

DOB SAFETY CODE VIOLATORS

This month investigators working under DOI's supervision arrested 10 individuals in three boroughs, Brooklyn, Manhattan and Queens, who were charged with disregarding criminal court summonses for construction code violations, including illegal SROs that operated despite vacate orders, unlicensed plumbing and electrical work, noncompliance with zoning regulations, and misrepresentations relating to electrical and plumbing licenses. DOI worked with DOB in this initiative to enforce safety codes and hold violators accountable. DOI used its investigative resources to find the individuals arrested in the first phase of the initiative, which is continuing.

In two cases, property owners in Queens were brought to court to face charges for failing to comply with a vacate order that shut down illegal SROs:

- Raylin A. Maldonado was arrested for failing to appear in court on three orders to vacate the SRO operating in her building at 155-41 115th Ave. in Jamaica. In the fall of 2007, a DOB inspector issued a partial vacate order for illegal SROs on the second floor of the property. During two follow up inspections, DOB inspectors found the SRO still existed. As a result, a criminal summons was issued to Maldonado for failing to comply with the vacate order. This month, DOI arrested Maldonado for failing to appear in court on that criminal summons. Her case was adjourned to July 21, 2011.
- Edmundo Villamar was similarly arrested for failing to appear in court on a vacate order that required the shutdown of the SRO operating in his building at 91-09 48th Ave. in Flushing. In the fall of 2007, DOB inspectors found the property was illegally converted to three apartment units and 16 SRO units and a vacate order was issued. During a re-inspection, a DOB inspector found that 11 of the SRO units still existed and issued criminal summons to Villamar. On June 23, 2011, DOI arrested Villamar for failing to appear in court on that summons and his case was adjourned to August 24, 2011. As of August 2009, Villamar no longer owns the property.

FDNY SAFETY CODE VIOLATORS

In the past month, investigators arrested 100 individuals who failed to appear in court and disregarded criminal summonses for fire code violations, including failing to maintain fire suppression systems, test sprinkler systems, obtain approval for fire extinguishing systems, repair fire service keys in elevators, and operate with a proper license for public assembly.

DOI's ongoing enforcement initiative with the FDNY has resulted in more than 850 arrests in the past four years and court-ordered fines of approximately \$330,000, including fines of nearly \$40,000 this fiscal year.

The latest Citywide sweep continued through Monday, June 27, 2011, resulting in arrests in all five boroughs: 9 in the Bronx; 30 in Manhattan; 20 in Queens, 33 in Brooklyn and 8 in Staten Island. Some individuals agreed to surrender for arrest, while DOI and FDNY Fire Marshals arrested others at their homes and businesses and other locations on arrest warrants and brought them to the courts to face charged fire code violations.

In court, the individuals arrested in connection with DOB and FDNY safety code violations paid fines, their cases were adjourned for another date, or the charges against them were sealed after payment of fines or were dismissed. Details on the individuals arrested whose names remain public as of today are attached.

Commissioner Gill Hearn thanked FDNY Commissioner Salvatore J. Cassano, DOB Commissioner Robert D. LiMandri, Corporation Counsel Michael A. Cardozo, Chief Fire Marshal Robert Byrnes, DOB Deputy Commissioner of Enforcement Eugene J. Corcoran, and their staffs, for their assistance and cooperation in these cases. Commissioner Gill Hearn also thanked the clerks in the New York City Criminal Courts for their assistance.

These Citywide warrant sweeps were conducted by DOI's Offices of the Inspectors General for FDNY and DOB, the FDNY's Bureau of Fire Investigations, and DOB's Internal Audits and Discipline Unit. The New York City Law Department is prosecuting these cases in the criminal courts under the supervision of Senior Counsel Sherrill Kurland.

Arrest warrants and criminal complaints are accusations. Defendants are presumed innocent until proven guilty.

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