



The City of New York
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**DOI COMMISSIONER MARK PETERS' REMARKS AT THE PRESS CONFERENCE
WITH THE BROOKLYN DISTRICT ATTORNEY'S OFFICE
REGARDING INDICTMENT OF UNLICENSED BUILDER IN WORKER DEATH**

Let me start by thanking Acting Brooklyn District Attorney Eric Gonzalez and his team of prosecutors, especially Deputy Chief of the Labor Frauds Unit Meredith McGowan and Senior Assistant District Attorney Samantha Magnani.

DOI is proud to work with you on these important cases, which demonstrate the dangers of abandoning safety in lieu of the bottom line. This indictment demonstrates that this City will not stand for any company or contractor who knowingly treats the rules with contempt and their workers' lives with disregard.

I also want to thank New York City Buildings Commissioner Rick Chandler and his staff, who worked side-by-side with DOI's team of investigators, and the Occupational Safety and Health Administration.

We have been here before.

We have witnessed the tragic results when contractors' ignore repeated warnings of potential danger. Or when they provide false information to the City Department of Buildings to continue to work unsafely. Or when they sidestep the City construction code because it's easier and faster and allows a greater profit.

This type of conduct has already resulted in a series of arrests in separate cases:

- August 2015; Manhattan; contractors turned a deaf ear to numerous warnings, resulting in a trench collapse, and a worker's death.
- February 2016; a building owner, contractor, licensed plumber and others, are arrested in connection with illegal gas connections and false information resulting in a fatal gas explosion in the East Village.
- July 2016; a Flatbush landlord is arrested in connection with illegal conversions where a fire broke out that led to one death and nine injuries.

Today's indictment is now added to that nefarious list, where illegal conduct and a cavalier attitude to safety and the City's construction rules have had devastating results. Each of these show what DOI has seen over and over again – integrity on a construction site directly influences safety.

In this case, the defendant, MICHAEL WEISS, controlled the work site, using untrained workers and performing unpermitted work, according to the charges.

The warnings were clear on Myrtle Avenue.

The foreman, the workers. Each voiced their concerns to WEISS that the excavation was proceeding unsafely and that without additional support, a collapse was likely. But the concrete trucks were on their way to the site and so work continued despite the dangers. The wall fell. One worker died and two others were injured.

The defendant did not stop there. His illegal conduct continued on other jobs, which we discovered after reviewing work sites connected to the defendant. What we found was another location in Brooklyn on Spencer Street where there was illegal excavation work done. The defendant is also being charged in connection with that property. Thankfully, in this case, no tragic incidents resulted.

This City expects that construction professionals will do their jobs and will do them safely. When they don't, we will hold them accountable.

The lives of construction workers, their families and all New Yorkers are counting on it.

That strategy is vital as this City experiences a construction boom – one that is positive for the City but also requires vigorous monitoring by everyone standing before you today. And DOI will continue to be an integral member of that team.

In fact, one of the ways we are doing that is through education. In the past five months, DOI, with our law enforcement partners, has held lectures and an opportunity for proper safety training at area consulates and schools, reaching more than 1,400 construction workers and providing them with legitimate safety cards.

Before I close, I want to thank DOI's team who worked tirelessly on this case: Chief of Investigations with DOI's Buildings Special Investigations Unit Barry Romm and Chief Investigator James McElligott, under the supervision of Inspector General Gregory Cho, Associate Commissioner James Flaherty, Deputy Commissioner/Chief of Investigations Michael Carroll and First Deputy Commissioner Lesley Brovner.

Thank you.

An indictment is an accusation. Defendants are presumed innocent until proven guilty.

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