



The City of New York
Department of Investigation

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DOI ISSUES SEVEN POLICY AND PROCEDURE RECOMMENDATIONS TO THE CITY DEPARTMENT OF BUILDINGS AFTER INVESTIGATION RESULTS IN BRIBERY CHARGES AGAINST CITY BUILDINGS INSPECTOR

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation (“DOI”), issued seven Policy and Procedure Recommendations (“PPRs”) today following last week’s arrest of a City Department of Buildings (“DOB”) Inspector on bribe receiving and official misconduct charges for allegedly conducting an inspection at a residence in South Ozone Park, Queens, finding that the homeowner’s basement apartment was illegal, taking \$140 from the homeowner, and closing the complaint falsely stating that entry could not be obtained to the property. The inspector was charged with receiving bribes on three separate occasions. Further details on this arrest can be found at the following link: <https://www.nyc.gov/assets/doi/press-releases/2024/April/Zabihullah04.11.2024.pdf>¹

DOI Commissioner Jocelyn E. Strauber said, “DOI recommends seven reforms to strengthen the Department of Buildings’ tracking of inspections and to reduce the opportunity for inspectors to engage in corruption. These reforms also are intended to protect the many DOB inspectors who carry out their agency’s important safety work with integrity and dedication.”

DOB Commissioner Jimmy Oddo said, “The Department of Buildings is committed to upholding the highest standards of integrity, both in the construction industry and within our own ranks. When we became aware of the alleged behavior of this employee, we immediately referred the issue to our partners in law enforcement and have worked closely with them throughout their investigation. DOB has worked closely with DOI on developing these recommendations, many of which are currently being implemented, and we look forward to the ongoing discussions on how we can continue to improve inspection protocols for the benefit of all New Yorkers.”

The DOB Inspector charged last week was a member of DOB’s Quality of Life unit, which conducts inspections to determine whether private residences have been illegally converted to multi-family dwellings. Under DOB protocols, if an inspector is unable to gain access to a property to conduct an inspection, the inspector must post a notice on the property informing the property owner to contact DOB to schedule an inspection. This notice is referred to as an “LS-4,” and DOB provides these blank forms to its inspectors. The inspector must officially document in DOB’s systems the issuance of this LS-4, including the starting and ending time of the attempted inspection and other relevant comments or supporting documents, if any.

In the conduct charged last week, the LS-4 directed the property owner to contact the individual inspector – instead of a general contact number at DOB – in violation of DOB protocols. The inspector also never documented the issuance of this LS-4 in DOB’s systems.

This investigation showed a lack of internal inventory controls on the blank LS-4s DOB provides to its inspectors. DOI investigations have revealed that DOB provides a batch of blank LS-4s to inspectors,

¹ A criminal complaint is an accusation. A defendant is presumed innocent until proven guilty.

but does not track (through numbering of the forms or otherwise) the specific LS-4s each inspector receives. Assigning unique sequential tracking numbers on LS-4s and maintaining a log, by number, of the specific LS-4s provided to inspectors will allow DOB to determine whether inspectors are issuing LS-4s without documenting the issuance in DOB systems as required.

DOI investigations have also found inspectors issuing and officially documenting LS-4s that, upon further review, create doubt about the inspector's efforts to gain access to a residence. An inspector should make a reasonable attempt to gain access to the property and document the inspector's issuance of the LS-4 if the inspector is unable to gain access, and then proceed to the next inspection. Although the time required to seek access may vary, DOB has access to various sources of time and location data that can assist DOB in determining the amount of time an inspector spent at a residence and whether it is inconsistent with the inspector's claim that the inspector could not gain access. DOB can proactively review and periodically audit location and time data from DOB-issued field equipment to determine whether an inspector claimed they could not obtain access, issued an LS-4, and yet remained at the site for a period of time that raises doubts about the credibility of that assertion.

As a result of these findings, DOI recommends the following PPRs:

1. DOB should assign unique tracking numbers to all LS-4s.
2. DOB should maintain an inventory of LS-4s that it has issued to inspectors as identified by the LS-4s unique tracking numbers.
3. DOB should conduct periodic inventory audits of LS-4s, including a comparative analysis of LS-4s issued to inspectors with LS-4s issued by inspectors, as documented with DOB's systems.
4. DOB should ensure inspectors account for discrepancies, if any, between LS-4s issued to an inspector and LS-4s that are missing from an inspector's batch, but not documented in DOB's systems, to identify potential LS-4s the inspector may have issued, but failed to document.
5. DOB should require inspectors who issue an LS-4 to photograph the LS-4 after it has been posted on the property.
6. DOB should conduct periodic audits and reviews of location and time data from the inspector's DOB-issued field equipment, including DOB-issued vehicle, cell phone, laptop and other electronic devices, and the times as noted on the LS-4, to ensure such location and time data is consistent with the time period reasonably associated with an inspector's efforts to gain access to a residence and to document that failure.
7. DOB should ensure inspectors account for "red-flags," inconsistencies or anomalies, if any, between (a) the inspector's alleged inability to gain access to a property and the issuance of an LS-4, which notes the time in which the inspection began and ended, and (b) information obtained via periodic audits and reviews of location and time related data from the inspector's DOB-issued field equipment, including DOB-issued vehicle, cell phone, laptop and other electronic devices, that demonstrate the inspector's continued presence at the inspection location inconsistent with the time period reasonably associated with an inspector's efforts to gain access to a residence and document that failure.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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