

DOB ISSUES MONTHLY ENFORCEMENT BULLETIN

Report Highlights DOB Enforcement Outcomes from November 2023 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 November 2023, 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.

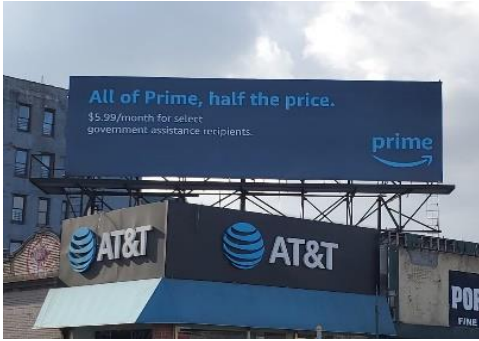
DOB completed a number of major enforcement actions in November, including:

- 9 violations and \$105,000 in penalties issued for failure to safeguard construction sites on 9 separate occasions.
- 9 violations and \$95,937 in penalties, including daily penalties, issued for illegal building alterations at 1 location.
- 3 violations and \$55,000 in penalties issued for illegal transient use with daily penalties at 1 location.

Below are individual enforcement highlights for November 2023:

Bronx

- \$20,000 in total penalties issued to JRM Development LLC for violations recorded at 1009 Nelson Ave. DOB inspectors issued violations for failure to safeguard work site after worker fell while removing overhead protection from third story without fall protection. There was no notification of incident to DOB, and no site safety orientation records.
- \$10,000 in penalties imposed on 2-20 East Fordham Road Associates for violations recorded at 2 East Fordham Road. Respondent was issued violations for lacking a clear and readable UL decal as required for fabric outdoor signs.



- \$7,500 in total penalties issued to JRM Development LLC for violations recorded at 1821 Prospect Ave. DOB inspectors issued violations for improper storage of debris, and observed debris thrown off of 3rd floor, and pipes stored within five feet of perimeter on 6th floor.
- \$2,500 in penalties imposed on Quad Stars LLC for violations recorded at 387 East Fordham Road. Respondent was issued a violation and found liable for failure to register an arterial sign as required for outdoor advertising signs.



Brooklyn

- \$130,000 in total penalties issued to 586 Myrtle LLC for violations recorded at 588 Myrtle Avenue. DOB inspectors issued violations for illegal alterations after finding 6 extra units added to the building.
- \$100,000 in penalties imposed on 829 New Lots Avenue for violations recorded at 829 New Lots Avenue. DOB issued violations for lack of an OAC registration for which they were found in violation and a \$1,250 penalty imposed in April 2023. In October 2023, the Respondent defaulted on 4 violations issued for which penalties were posted and imposed in November. The violations were for lack of a sign permit, lack of a licensed sign hanger as required to make sure signs are properly installed altered or removed in order to secure public safety; lack of required UL decal, a marking sometimes including a QR code, which must indicate the testing entity to ensure fire safety and include the date the sign was erected, and for having a sign prohibited in a residential zone. Each violation has a \$25,000 default penalty for a total of \$100,000 in penalties.



- \$95,000 in total penalties issued to 117 East 95 Estates LLC for violations recorded at 117 East 95th Street. DOB inspectors issued violations for illegal alterations after finding more than three dwelling added, with 2 apartments converted to 8 Single Residence Occupancies.
- \$25,000 in penalties issued to Galaxy Developers LLC for violations recorded at 11 Gerry Street. DOB inspectors issued violations for failure to safeguard after a 12-inch gas main ruptured. DOB inspectors observed no markings on street as to where the gas line was located.
- \$18,125 in total penalties issued to AG Builders Pro LLC for violations recorded at 160 East 46th Street. DOB inspectors issued violations for after observing six workers at third floor level working without fall protection or guard rails. Site also had unsafe storage of flammable items, and no overhead protection for adjoining property where items fell, and was lacking inspection logs.
- \$17,500 in total penalties issued to Innovative Control NYC LLC for violations recorded at 236 Berry Street. DOB inspectors issued violations at the 8-story new building for having no protection for pedestrians during exterior glass installation, as well as scaffolding without guardrails, as well as acetylene tanks stored without FDNY permit and missing DOT permit for sidewalk use.
- \$12,500 in penalties issues to Citi Builders NY LLC for violations recorded at 450 Grand Avenue. DOB inspectors issued violations for failure to follow manufacturer's specifications after a worker fell off a 6-foot ladder that was set on a slippery surface and not fully opened.
- \$10,000 in penalties issued to Edmund S. Joseph for violations recorded at 660 Bedford Ave. DOB inspectors issued violations for extensive renovation work without a Tenant Protection Plan filed.
- \$10,000 in penalties issued to Yatziv Corp for violations recorded at 3916 15th Avenue. DOB inspectors issued violations for failure to safeguard after observing a 14-ft excavations that was accessible to public and lacked guardrails.
- \$2,500 in violations issued to John D'Arpa for violations recorded at 37 Bay 49th Street. DOB inspectors issued violations for work without a permit after respondent build a second structure on lot that already had a garage.
- \$2,500 in penalties issued to Rogers Developers GRP LLC for violations recorded at 996 Carroll Street. DOB inspectors issued violations for debris dumpster and concrete truck next to an unprotected tree, contrary to NYC Parks rules.

Manhattan

- \$60,000 in total penalties issued to Miouly E. Pongnon for violations recorded at 2005 5th Ave. DOB inspectors issued violations for illegal alterations after two units in building were altered for transient use. Inspectors also issued safety violations for having no sprinkler and alarm system.
- \$25,000 in penalties issued to 31 West 34th Street for violations recorded at 31 West 34th Street. DOB inspectors issued violations for failure to provide SWS where required at an 11-story building, with dangerous façade conditions observed such as open joints on 2nd, 3rd, and 8th floors.
- \$12,500 in penalties issued to Tishman Construction Corp for violations recorded at 561 Greenwich Street. DOB inspectors issued violations for failure to provide adequate safety measures after two workers were overcome by fumes emitted by a gas machine.
- \$11,250 in penalties imposed on Outfront Media LLC and 180 Centre Street Properties for violations recorded at 174 Centre Street. Respondents were issued violations for an Outdoor Advertising Sign without a permit.



- \$10,000 in penalties issued to M Interiors Corp for violations recorded at 137 West 122nd St. DOB inspectors issued violations for failure to provide pedestrian protection after finding supported scaffold over pedestrian pathway within 25 feet of building and without a post-supported sidewalk shed.
- \$10,000 in penalties issued to Lendlease Construction for violations recorded at 1647 1st Avenue. DOB inspectors issued violations for failure to safeguard after inspectors observed inadequate protection provided at demolition site, causing damage at adjacent building.
- \$6,250 in total penalties issued to One East River Place Realty Company LLC for violations recorded at 525 East 72nd Street. DOB inspectors issued violations to the Privately Owned Public Space (POPS) for failure to have required signage.
- \$5,000 in penalties issued to 1345 Leasehold LLC for violations recorded at 1345 Avenue of the Americas. DOB inspectors issued violations to the Privately Owned Public Space (POPS) for not having a working water fountain as was required as per CPC plans.

Queens

- \$11,250 in penalties imposed on Outfront Media LLC and CSX Transportation for violations recorded at 61-04 31st Ave. Respondents were issued violations for an Outdoor Advertising Sign without a permit.



- \$10,725 in total penalties issued to Henry Ikezi for violations recorded at 114-49 177 Street. DOB inspectors issued violations for illegal occupancy after finding a class A apartment occupied by 5 transient occupants for less than 30 days, in addition to safety violations.
- \$10,000 in total penalties issued to WH Cooper 15 LLC for violations recorded at 105-16 Northern Blvd. DOB inspectors issued violations for work without a permit after observing an illegal extension, as well as failure to maintain site, and egress blocked by window bars.
- \$6,250 in total penalties issued to SB Renovation & Modeling for violations recorded at 179-48 Tudor Road. DOB inspectors issued violations after observing a 10-ft sheer cut excavation and shoring that were not according to plans, and DOB was not notified of the earthwork as required.

Staten Island

Construction and Design Professionals

- DOB's Special Enforcement Team (SET) audited 7 professionally certified applications submitted by Professional Engineer Chih Hsu and 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; proposing plans that do not properly indicate two independent exits from the cellar; proposing plans that would cause weather enclosures to encroach into the public right-of-way; failure to delineate the flood hazard areas; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on failed audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.
- DOB's Special Enforcement Team (SET) audited 5 professionally certified applications submitted by Registered Architect Pragnesh Surti and 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; proposing plans that propose new stairs made of combustible materials; proposing plans where the exterior stairway is not separated from the interior of the building; failure to provide a fire protection system to the entire building; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.

- DOB's Special Enforcement Team (SET) audited 5 professionally certified applications submitted by Registered Architect Joon Chai and 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; proposing plans that did not include sufficient fire protection; proposing plans that fail to provide two independent means of egress from the cellar; failure to correctly identify the require special inspections; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges which the Respondent signed.
- DOB's Special Enforcement Team (SET) audited 6 professionally certified applications submitted by Professional Engineer Qazi Razzak and 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; proposing a deck on the roof of the building which obstructs Fire Department access; proposing a fire escape that deviates from the requirements of the RCNY; failure to provide complete drawings; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.
- DOB's Special Enforcement Team (SET) audited 6 professionally certified applications submitted by Professional Engineer Qazi Razzak and 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; proposing plans that fail to provide safety and protection for construction workers and the public; proposing plans that fail to include a comprehensive report of geotechnical evaluation; failure to indicate that the structural stability of the adjoining buildings shall be subject to special inspections; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, SET offered a voluntary surrender of Professional Certification and Directive 14 privileges, which the Respondent signed.

