

NYCServ Violation Copy

Internet



34838390P



NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34838390P
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name) ESPLANADE 99 LLC		Last name	
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street 244 W 99 ST.	City NEW YORK	State NY	Zip code 10025
Additional mailing to be sent (agent, care of, other):		License No. (if Applicable)	Project Code	
Name	First name	Last name	Company	
Mailing address	Number and street	City	State	Zip code

Commissioner's Order To Correct Violations

Place of occurrence	Boro	Date of violation	Type	Dist.	Code	No.
244 W 99 TH ST.	M	01/26/11	C	MTA RA		06
Construction type	BIN No.	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
11	1056410	7	1870	52	MIKED USE	05E 1296641

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed		Stop Work Order <input type="checkbox"/> Full <input type="checkbox"/> Partial	Class 1 <input type="checkbox"/>	Class 2 <input checked="" type="checkbox"/>	Class 3 <input type="checkbox"/>	Recurring Condition <input type="checkbox"/>
Infraction Code	Provision of Law	FIRE RESISTANCE-RATED WALLS - NO FIRE STOPPING				
B239	BC 712.3	PER BC 712.3 27-345, NOTED BUILDING HAVING IN COLLAR OPEN HOLES IN CUTTING AROUND SPRINKLER'S LINES CREATING FIRE HOLE, TO FLOOR ABOVE.				
Remedy: COMPLETE FIRE STOPPING.						
<input type="checkbox"/> ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.						
<input type="checkbox"/> Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.						
<input type="checkbox"/> Aggravated if Condition per 1RCNY 102-01(f)						
The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.						

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter F of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options	
CURE DATE	03/09/11
HEARING DATE	03/17/11 at <input checked="" type="checkbox"/> 8:30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
<p>If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.</p>	
<p>The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated if condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation. Refer to the ECB Violation Penalty Table in the Reference area of www.NYCGov/Buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION</p>	
<p>Environmental Control Board hearing locations:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl. <input type="checkbox"/> Brooklyn, (718) 875-7428 - 233 Schormerhorn Street, 11th fl. <input type="checkbox"/> Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl. <input type="checkbox"/> Staten Island, (212) 361-1400 - 350 St. Marks Place, 1st fl. <p>Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.</p>	
<p>For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.</p>	

Issuing officer's last name, first initial (print) DARZOWSKI K.	I personally observed the violation(s) charged and/or verified their existence through review of departmental records.
Badge number 121214	Unit Code KIT
Supervisor's signature [Signature]	Issuing officer's signature [Signature]
	This statement is affirmed under penalty of perjury.

34838390P
ECB-PC (Rev. 9/08)

ORIGINAL-ECB COPY