

# NYCServ Violation Copy

Internet



34987636P



## NOTICE OF VIOLATION AND HEARING



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

Violation No. 34987636P  
ENVIRONMENTAL CONTROL BOARD

|  |   |           |                             |                       |
|--|---|-----------|-----------------------------|-----------------------|
| <b>Respondent</b>  | First name (or entity name)<br><i>To owner of 128 Mott St</i> |           | Last name                   |                       |
| <input checked="" type="checkbox"/> <b>Mailing address</b><br>(check if same address as place of occurrence) | Number and street   |           | City                        | State Zip code        |
| Additional mailing to be sent (agent, care of, other):   |   |           | License No. (if Applicable) | Construction Activity |
| <b>Name</b>  | First name  | Last name | Company                     |                       |
| <b>Mailing address</b>   | Number and street   | City      | State                       | Zip code              |

### Commissioner's Order To Correct Violations

|                            |                |                   |             |             |                                 |                    |
|----------------------------|----------------|-------------------|-------------|-------------|---------------------------------|--------------------|
| <b>Place of occurrence</b> | Boro           | Date of violation | Type        | Dist.       | Code                            | No.                |
| <i>128 Mott St</i>         | <i>M</i>       | <i>08/27/12</i>   | <i>C</i>    | <i>STF</i>  | <i>GM</i>                       | <i>25</i>          |
| Construction type          | BIN            | No. of stories    | Block       | Lot         | Occupancy at time of inspection | Basis of violation |
|                            | <i>1087662</i> | <i>7</i>          | <i>238-</i> | <i>7501</i> | <i>Grocery store</i>            | <i>1328990</i>     |

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

|  |                  |  |                          |                                     |                          |                          |
|--|------------------|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <b>Violating Conditions Observed</b>   |                  | Stop Work Order  | Class 1                  | Class 2                             | Class 3                  | Recurring Condition      |
| Infraction Code  | Provision of Law | <input type="checkbox"/> Full <input type="checkbox"/> Partial   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>B221</i>  | <i>BC1016.2</i>  | <i>Failure to provide required width along aisle in canopy store on 1st floor, noted column in middle of aisle of 4B, 1B, obstructing exit passageway.</i> |                          |                                     |                          |                          |
| <b>Remedy:</b> <i>Make safe!</i>   |                  |  |                          |                                     |                          |                          |
| <input type="checkbox"/> <b>ILLEGAL CONVERSION - CLASS 1.</b> Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.<br><input type="checkbox"/> Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.             |                  |  |                          |                                     |                          |                          |
| <input type="checkbox"/> <b>Aggravated II Condition per 1RCNY 102-01(f)</b><br>The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See 'Certifying Correction' on reverse. |                  |  |                          |                                     |                          |                          |

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B 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.

|  |   |
|--|---|
| <b>Resolution options</b>  |   |
| <b>CURE DATE</b> <i>10/15/12</i>   | <b>HEARING DATE</b> <i>10/22/12</i> at <input checked="" type="checkbox"/> 8:30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM |
| If a date appears in the box above, you may have the option to <b>admit</b> 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, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation. |   |
| <b>Environmental Control Board hearing locations:</b><br><input type="checkbox"/> <b>Queens,</b> (718) 298-7300 - 144-06 94th Avenue, 1st fl.<br><input checked="" type="checkbox"/> <b>Manhattan,</b> (212) 361-1400 - 66 John Street, 10th fl.<br><input type="checkbox"/> <b>Brooklyn,</b> (718) 923-6100 - 9 Bond Street, 7th fl.<br><input type="checkbox"/> <b>Bronx,</b> (718) 993-6110 - 3030 3rd Ave., 2nd fl.<br><input type="checkbox"/> <b>Staten Island,</b> (718) 815-8385 - 350 St. Marks Place, 1st fl.    |   |
| 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 you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.   |   |

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 Department of Buildings at 311, or visit the ECB Violation section at [www.nyc.gov/buildings](http://www.nyc.gov/buildings).

Issuing officer's last name, first initial (print)  
*George M*  
Unit Code *2302 58*

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.  
Issuing officer's signature  
This statement is affirmed under penalty of perjury.

34987636P