

# NYCServ Violation Copy

## Internet



35195898X



### NOTICE OF VIOLATION AND HEARING



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

Violation No. 35195898X

<b>Respondent</b>	First name (or entity name) <b>IBK CONSTRUCTION GROUP</b>		Last name	
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street <b>617 JOHNSON AVENUE</b>	City <b>BROOKLYN</b>	State <b>NY</b>	Zip code <b>11237</b>
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>	<b>Boro</b>	<b>Date of violation</b>	<b>Type</b>	<b>Dist</b>	<b>Code</b>	<b>No.</b>
<b>260 W. 40th STREET</b>	<b>MA</b>	<b>07/12/16</b>	<b>BS05</b>	<b>MR</b>	<b>09</b>	
<b>Construction type</b>	<b>BIN</b>	<b>No. of stories</b>	<b>Block</b>	<b>Lot</b>	<b>Occupancy at time of inspection</b>	<b>Basis of violation</b>
	<b>1014510</b>	<b>20</b>	<b>789</b>	<b>69</b>	<b>NB-12187514</b>	<b>INCIDENT</b>

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.

Violating Conditions Observed		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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B109</b>	<b>BC 3301.2</b>	<b>FAILURE TO SAFEGUARD PUBLIC AND PROPERTY -</b>				

AT TIME OF INSPECTION I WAS RESPONDING TO AN INCIDENT. WHILE POURING AND PUMPING CONCRETE, DEFECTIVE PIPE BURST ON CONCRETE PUMP TRUCK. CONCRETE FLOW ACROSS STREET AND WORKERS WERE CLEANING CONCRETE ALLOWING IT TO WASH DOWN THE STREET INTO SEWER. NO SAND, NO OVERBANK, ETC.

Remedy: SAFEGUARD PUBLIC AND PROPERTY - PROVIDE TRAINING TO WORKERS ON HOW TO HANDLE EMERGENCY TO PROTECT PUBLIC AND PROPERTY.

<input type="checkbox"/> ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties shall be assessed per 102-01 of Title 28 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 II Condition per 1RCNY 102-01(f)
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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.

Cure and Hearing options	
<b>CURE DATE</b>	<b>HEARING DATE</b>
<b>11/11/16</b>	<b>09/10/16</b> at <input type="checkbox"/> 8:30 AM <input checked="" 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 <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.</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 II 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 or admit the violation. Refer to the DOB ECB Penalty Schedule at <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING AT THE ENVIRONMENTAL CONTROL BOARD IF YOU WISH TO CONTEST THE VIOLATION.</p> <p><b>Environmental Control Board hearing locations:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Queens, 1-844-OATH-NYC (628-4692) - 144-06 94th Avenue, 1st fl.</li> <li><input checked="" type="checkbox"/> Manhattan, 1-844-OATH-NYC (628-4692) - 66 John Street, 10th fl.</li> <li><input type="checkbox"/> Brooklyn, 1-844-OATH-NYC (628-4692) - 9 Bond Street, 7th fl.</li> <li><input type="checkbox"/> Bronx, 1-844-OATH-NYC (628-4692) - 3030 3rd Ave., 2nd fl.</li> <li><input type="checkbox"/> Staten Island, 1-844-OATH-NYC (628-4692) - 350 St. Marks Place, 1st fl.</li> </ul> <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 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.</p> <p><b>For more information.</b> 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 <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a>.</p>	

Issuing officer's name, first initial (print) **Roman, M**

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature **M. Roman**

This statement is affirmed under penalty of perjury.

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ECB-PC (Rev. 5/15)