NYCServ Violation Copy

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38220374X

Buildings

NOTICE OF VIOLATION AND HEARING

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

Violation No. 38220374X
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name): 555 Real Estate	Last name: Suite 2332		
☐ **Mailing address** (Check if same as place of occurrence)	Number and street: 250 West 57 St	City: New York	State: N.Y.	Zip code: 10107
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 23 Greene Street	Boro MAN	Date of violation 6/11/12	Type E	Badge no. 247	Area A	Number 01
Construction type 2	BIN #	No. of stories 5	Block 229	Lot 32	Occupancy at time of inspection Res	Elevator device no. 1P15965 / Complaint no. 1326908

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.

FAILURE TO MAINTAIN- §28-301.1 / §27-987 / BC 3001.2	☐ Class 1(B151)	☑ Class 2(B251)	☐ Class 3(B351)	☐ OTHER Infraction Code:____ Section of Law:____ Class 1 2 3 (circle one)
WORK WITHOUT A PERMIT - §28-105.1	☐ Class 1(B101)	☐ Class 2(B201)	☐ Class 3(B301)	
☐ ILLEGAL OPERATION - BC 3007.1/§27-185 Class 2 (B262)		☐ **CEASE USE**	☐ Aggravated II Condition per 1RCNY 102-01(f)	☐ Per 28-202.1 & 1RCNY 102-01, additional 'Class 1' daily or 'Class 2' monthly penalty also applicable.

ELEVATOR PARTS

INSIDE CAR
01. Emergency stop switch
02. Alarm system
03. Car enclosure
04. Side emergency exit
05. Car door/gate
06. Car door/gate contact
07. Door reopening device
08. Car floor to landing sill
09. Car floor
10. Car door gibs
11. Car button station
12. Car lighting
13. Emergency lighting
14. Car mirror
15. Certificate frame

OUTSIDE HOISTWAY
16. Hoistway doors
17. Hoistway door gibs
18. Hoistway door reinforcements
19. Hoistway door safety retainer
20. Vision panel
21. Interlocks
22. Parking device
23. Hall button station
24. Indicators
25. Door safety retainer

TOP OF CAR
26. Top emergency exit cover
27. Governor release carrier
28. Door hangers & connectors
29. Door operator
30. Normal limits
31. Final limits
32. Guide shoes/Roller guides
33. Counterweight
34. Hoistway
35. Electric wiring
36. Pipes and ducts
37. Overhead & Deflector sheave
38. Traveling cable & junction
39. Car top

MACHINE ROOM
40. Machine room
41. Machine room door
42. Controller – selector
43. Reverse phase relay
44. Traction sheave
45. Governor
46. Governor switch
47. Drum
48. Pump unit
49. Drum machine limit switch
50. Generator
51. Slack rope switch
52. Hoist ropes
53. Governor ropes
54. Car counterweight rope
55. Drum counterweight rope
56. Hoist machine
57. Hoist motor
58. Worm/Gear/Bearings
59. Machine brake
60. Lighting machine space
61. Machine disconnect switch
62. Commutator
63. Motor brushes
64. NYC Device #
65. Unintended car movement
66. Emergency brakes/rope
67. Communication
68. Maintenance log
69. Code data plate

PIT
70. Pit
71. Pit light
72. Pit stop switch
73. Car guide-rails & brackets
74. Cwt. guide-rails & brackets
75. Buffers
76. Car safety & tail rope
77. Underside platform
78. Tension Weight
79. Comp/chains/rope/switch
80. Counterweight runby
81. Cntrweight runby signage
82. Plunger gripper

ESCALATOR/MOVING WALK
83. Fire shutters
84. Skirt switch
85. Skirt deflection device
86. Comb plate/Comb plate teeth
87. Landing plate / Impact switches
88. Handrails / Handrail safeties
89. Step/thread
90. Key switch
91. Emergency stop button
92. Decking and balustrades
93. Ceiling guards
94. Deck barricades
95. Internal safeties
96. Safety Signage

ALL TYPES
97. Entire device
98. Current five year tag
99. Current one year tag
100. Miscellaneous

☐ Recurring Condition

VIOLATING CONDITION

A. Altered, B. Insufficient, C. Padlocked, D. Unsecured, E. Rubbing, F. Lost motion, G. Improper Fuses, H. Worn, I. Damaged, J. Misaligned, K. Rusted, L. Defective, M. Missing, N. By-passed, O. Dirty, P. No means of access, Q. Unguarded, R. Illegal, S. Not fire retardant, T. Unlabeled, U. Device not tagged, V. Not level, W. Unlocked, X. Inoperative, Y. Oil leak, Z. Water leak, AA. Carbon buildup, BB. Expired tag

SUGGESTED REMEDY

01. Adjust, 02. Clean, 03. Install Guards, 04. Patch, 05. Perform & file test, 06. Properly secure, 07. Provide, 08. Regroove, 09. Remove, 10. Repair, 11. Replace, 12. Reshackle, 13. Seal, 14. Shorten, 15. Tag Device, 16. Provide means of access, 17. Re-inspection required

☐ **FILE APPLICATION AND OBTAIN PERMIT**

ELEVATOR PART	100		
VIOLATING CONDITION	X		
SUGGESTED REMEDY	10		

Additional information: 100-X-10 ~~Repair Communication~~ Inside Car Communication

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.

The Commissioner of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

Resolution options

CURE DATE 7/23/12

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.

HEARING DATE 7/26/12 at ☐ 8:30 AM ☑ 10:30 AM ☐ 1:30 PM

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. Refer to the ECB Violation Penalty Table in the Reference area of www.NYC.gov/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.

Environmental Control Board hearing locations:

☐ **Queens,** (718) 298-7300 - 144-06 94th Avenue, 1st fl.
☐ **Bronx,** (718) 993-6110 - 3030 3rd Ave, 2nd fl.
☑ **Manhattan,** (212) 361-1400 - 66 John Street, 10th fl.
☐ **Staten Island,** (212) 361-1400 - 350 St. Marks Place, 1st fl.
☐ **Brooklyn,** (718) 875-7428 - 233 Schermerhorn Street, 11th 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 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 the Department of Buildings at 311, or go to www.nyc.gov/buildings.

Issuing officer's last name, first initial (print): MARSHALL, A

Badge number: 247 Unit Code: EL

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

Issuing officer's signature [signature]

This statement is affirmed under penalty of perjury.

38220374X

Supervisor's signature [signature]

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ECB-PE (Rev. 9/08)