NYCServ Violation Copy

Internet

35156355H

NOTICE OF VIOLATION AND HEARING

NYC Buildings

Violation No. 35156355H

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

Respondent	First name (or entity name): TOWNHOUSE BUILDERS	Last name: INC				
☐ **Mailing address** (Check if same address as place of occurrence)	Number and street: 3611 14TH AVE #606	City: BROOKLYN	State: NY	Zip code: 11218		
Additional mailing to be sent (agent, care of, other):		License No. (If applicable): GC 60282	Construction Activity:			
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.
1200 BROADWAY	BK	9/20/16	CEX	03	00	02

Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection:	Basis of violation
NB	3394420	6	1613	17	CONSTRUCTION	INSPECTION

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: ☐ Full ☑ Partial | Class 1 ☐ | Class 2 ☑ | Class 3 ☐ | Recurring Condition ☐

Infraction Code	Provision of Law
B206	BC 3309.6

FAILURE TO MONITOR ADJOINING STRUCTURES FOR MOVEMENT IN ALL DIRECTIONS DURING EXCAVATION-RELATED ACTIVITY THAT MAY ADVERSELY AFFECT ADJOINING STRUCTURES.

AT THE TIME OF INSPECTION, IT WAS OBSERVED THAT EXCAVATION OF ABOUT 7 FEET DEPTH WAS ONGOING WHILE THE GC FAILED TO MONITOR ADJOINING STRUCTURES FOR MOVEMENT.

Remedy: COMPLY. PROVIDE BENCHMARKS ON ADJOINING STRUCTURES & MONITOR FOR MOVEMENT. CALL 212-393-2971 FOR RE-INSPECTION

☐ **ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of Article 210 of Title 28 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f)

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

CURE DATE 10/31/16

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, 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.

HEARING DATE 11/7/16 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 or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings 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.

Environmental Control Board hearing locations:

- ☐ **Queens**, 1-844-OATH-NYC (628-4692) - 144-06 94th Avenue, 1st fl.
- ☐ **Manhattan**, 1-844-OATH-NYC (628-4692) - 66 John Street, 10th fl.
- ☑ **Brooklyn**, 1-844-OATH-NYC (628-4692) - 9 Bond Street, 7th fl.
- ☐ **Bronx**, 1-844-OATH-NYC (628-4692) - 3030 3rd Ave., 2nd fl.
- ☐ **Staten Island**, 1-844-OATH-NYC (628-4692) - 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.

Issuing officer's last name (first initial) (print): ODENUSI O

Badge number: 2643 Unit Code: EX

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.

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ECB-PC (Rev. 5/15)

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