

NYCServ Violation Copy

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35453500X

		SUMMONS AND COMMISSIONER'S ORDER - CIVIL PENALTIES APPLY SUMMONS NUMBER: 35453500X ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS AGENCY ADDRESS AND WEBSITE: 280 Broadway, New York, NY 10007 www.nyc.gov/buildings		 35453500X
RESPONDENT: <u>ENRIQUE MONTENEGRO</u> (First Name/Entity, Last) MAILING ADDRESS: <u>43-20 64TH ROAD</u> <u>MASPETH, NY 11378</u> CELL PHONE: <u>N/A</u>		DOB License/Registration #: <u>Rigger-10K4</u>		
DATE OF OCCURRENCE: <u>11/20/2019</u> PLACE OF OCCURRENCE: <u>111 W 65th Avenue</u> BLOCK: <u>2102</u> LOT: <u>1</u> BIN: <u>1079921</u>		TIME OBSERVED: <u>3:15 am/pm</u> BOROUGH: <u>Manhattan</u>		
You must appear or respond to the details of violation(s) below. For HOW TO RESPOND, see the back of this summons.				
HEARING DATE: <u>1/30/2020</u> AT: ☒ 8:30 am ☐ 10:30 am ☐ 1:30 pm				
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: <u>Manhattan</u> [Borough] (See reverse side for address) Phone: (844)628-4692				
REFER TO THE SUMMONS NUMBER ABOVE ON ALL CORRESPONDENCE.				
WARNING: If you do not appear or respond to this Summons, the City will decide the Summons against you and impose penalties. Failure to pay a civil penalty could lead to the denial of an application for, or the suspension, termination or revocation of a City license, permit or registration. In addition, the City may enter a judgment against you in court.				
COMMISSIONER'S ORDER TO CORRECT VIOLATION CONDITION(S)				
CURE DATE (Zero Penalty Option, if available): _____ Details of Violation(s)		Must Appear: ☒ (If disputing the charge)		
Type of Construction: <u>A42</u> No. of Stories: <u>32</u> Occupancy at Time of Inspection: <u>Resid. Bldg</u>		Vio. Type: <u>CC</u> Dist. <u>112</u> Code: <u>NG</u> No. <u>01</u> Complaint#: _____ Related Job#: <u>123900109</u> (If applicable) (If applicable)		
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 the NYC Administrative Code, the NYC Zoning Resolution and/or Titles 1 or 2 of the Rules of the City of New York.				
Violating Conditions Observed	Infraction Code <u>B144</u>	Class <u>1</u>	Provision of Law <u>1 RCNY 104-20</u>	
☐ ILLEGAL CONVERSION - CLASS 1 Per 28-202.1 & 1 RCNY 102-01 additional daily penalties for continued violation of Article 210 of Title 28 also applicable ☐ Per 28-202.1 & 1 RCNY 102-01 , additional Class 1 daily or Class 2 monthly penalty may apply		☐ Recurring Condition - Aggravated 1 per 1 RCNY 102-01(f) ☐ Aggravated If Condition per 1 RCNY 102-01(f)		
Stop Work/Vacate Order Issued ☐ Full ☒ Partial				
Violation Detail(s): <u>licensed Rigger designated on a qualified</u> <u>Foreman. Partial stop work order for suspended</u> <u>scaffold and all facade work issued pursuant to</u> <u>8-2012.2 (No Rigger Foreman on site)</u> <u>Note: At time of inspection I observed suspended</u> <u>scaffold in place and in use at 6X Post 1 and #3 with</u> <u>no designated Rigger Foreman at site. The supervision</u> <u>of suspended scaffold use, suspended scaffolds shall</u> <u>be used by or under the direct and continuing</u> <u>supervision of a licensed Rigger.</u> Remedy: <u>Do not remove / do not use suspended scaffold</u> <u>comply with code.</u>				
THE COMMISSIONER ORDERS THAT YOU TIMELY CORRECT THESE CONDITIONS AND FILE A CERTIFICATE OF SUCH CORRECTION. See 1 RCNY 102-01 and the reverse for instructions on certifying correction. Uncorrected violations are subject to additional violations and penalties. For certain charges, additional DOB civil penalties may apply pursuant to sections 28-213.1, 28-219.1 and 28-207.2.6 of the Administrative Code. A property owner may be liable for payment of these additional civil penalties even if not cited as respondent on this summons.				
NYC Charter Sections 1048 and 1049-a and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings. For hearing options, see other side of this notice.				
I, an employee of the Department of Buildings, affirm under penalty of perjury that I personally observed the commission of the violation(s) charged above and/or verified their existence through a review of departmental records. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law.				
Issuing Officer: <u>NEUTHEREZ</u> Signature: <u>[Signature]</u>		Badge# <u>2868</u> Unit Code: <u>CC</u>		

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ECB-PC (Rev. 1/19)