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35453506R

NYC Buildings

SUMMONS AND COMMISSIONER'S ORDER• CIVIL PENALTIES APPLY

SUMMONS NUMBER: 35453506R

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ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS

AGENCY ADDRESS AND WEBSITE: 280 Broadway, New York, NY 10007 www.nyc.gov/buildings

RESPONDENT: Enrique Montemuino (First Name/Entity, Last)

MAILING ADDRESS: 43-20 54th Road Maspeth NY 11378

DOB License/Registration #: Rigger-61249

CELL PHONE: N/A

DATE OF OCCURRENCE: 11/20/2019

TIME OBSERVED: 8:15 am /pm

PLACE OF OCCURRENCE: 111 Wadsworth ave

BOROUGH: Manhattan

BLOCK: 2162 **LOT** 1 **BIN:** 1079921

You must appear or respond to the details of violation(s) below. For HOW TO RESPOND, see the back of this summons.

HEARING DATE: 1/30/2020 **AT:** ☒ 8:30 am ☐ 10:30 am ☐ 1:30 pm

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: Manhattan [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): ——— **Must Appear:** ☒
Details of Violation(s) **(If disputing the charge)**

Type of Construction: ALT2 **No. of Stories:** 32 **Vio. Type:** CC **Dist.** 112 **Code** NG **No.** 07

Occupancy at Time of Inspection: Resid. Bldg **Complaint#:** ——— (If applicable) **Related Job#** 123900109 (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	Class	Provision of Law	☐ Recurring Condition-Aggravated I per 1RCNY 102-01(f)	Stop Work/Vacate Order Issued ☐ Full ☒ Partial #
	B149	1	BC 3314.4.3		

☐ 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 ☐ Aggravated II Condition per 1 RCNY 102-01(f)

Violation Detail(s): Failed to perform safe preinstallation inspection of suspended scaffold.
Note: At time of inspection of a 32 story building, ALT2 work in progress, I observed suspended scaffold in use at sidewalk #1 and #3, upon request for pre shift inspection report for suspended none was provided, failure to perform and maintain pre shift installation report as required by code creates a hazardous condition for personel and workers on suspended scaffold (collapse)

Remedy: Stop all use of suspended/Do not remove, perform/provide pre shift inspection letter/reports.

THE COMMISSIONER ORDERS THAT YOU TIMELY CORRECT THESE CONDITIONS AND FILE A CERTIFICATE OF SUCH CORRECTION. See 1RCNY 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: N. Gutierrez **Signature:** ——— **Badge#** 2868 **Unit Code:** CC

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ECB-BC (Rev. 1/10)