

NYCServ Violation Copy

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35593218R



SUMMONS AND COMMISSIONER'S ORDER • CIVIL PENALTIES APPLY

SUMMONS NUMBER: 35593218R

ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS

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



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RESPONDENT: Linden 88 INC. (First Name/Entity, Last)
MAILING ADDRESS: 4630 Kissena Blvd
Flushing NY 11355 DOB License/Registration #: _____
CELL PHONE: N/A

DATE OF OCCURRENCE: 08/10/2024 TIME OBSERVED: 5:00 am
PLACE OF OCCURRENCE: 9/5 55 St BOROUGH: Brooklyn
BLOCK: 5673 LOT: 7503 BIN: 3139244

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

HEARING DATE: 10-16-24 AT: ☒ 8:30 am ☐ 10:30 am ☐ 1:30 pm

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: Brooklyn [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: FP No. of Stories: 5 Vio. Type: C Dist: NE Code: DB No. 01
Occupancy at Time of Inspection: Mixed Use Complaint#: 3972186 Related Job# _____
(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	Class	Provision of Law	☐ Recurring Condition- Aggravated 1 per 1 RCNY 102-01(f)	☒ Stop Work/Vacate Order Issued ☐ Full ☒ Partial
	<u>B103</u>	<u>1</u>	<u>28-118.3.2</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					
☐ Aggravated If Condition per 1 RCNY 102-01(f)					

Violation Detail(s):

Occupancy contrary to that allowed by the Certificate of Occupancy # 815924-0000003

Occupancy changed in cellar from daycare for 54 children to massage rooms.
On first floor from residential lobby and daycare for 63 children to 21 SRO's, 2 bathrooms and one kitchen

Remedy: Discontinue illegal use and comply with Certificate of Occupancy

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: D. Baccadore Signature: [Signature] Badge# 429 Unit Code: LE R

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ECB-PC (Rev. 4/20)