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35649745Z

NYC Buildings

SUMMONS AND COMMISSIONER'S ORDER• CIVIL PENALTIES APPLY

SUMMONS NUMBER: 35649745Z

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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: Empire Prop Partners LLC* (First Name/Entity, Last)

MAILING ADDRESS: 9 Lake Road west, Great Neck NY 11020

DOB License/Registration #: 622979

CELL PHONE: N/A

DATE OF OCCURRENCE: 09/16/2023

TIME OBSERVED: 12:00 am (pm)

PLACE OF OCCURRENCE: 229 Withers street

BOROUGH: Brooklyn

BLOCK: 2866 **LOT** 65 **BIN:** 3070073

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

HEARING DATE: 11/22/2023 **AT:** ☐ 8:30 am ☒ 10:30 am ☐ 12:30 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:** ☒
☐ 1-2 Family Property **Details of Violation(s)** (If disputing the charge)

Type of Construction: NB **No. of Stories:** 5 **Vio. Type:** CE **Dist.** 01 **Code** MS **No.** 03

Occupancy at Time of Inspection: under Construction **Complaint#:** 3927166 (If applicable) **Related Job#** 321553396 (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 #
	BL06	1	BC 2113.9 & 27.859		

☐ **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): Termination (Failure to extend The Chimney)
observed Active Chimney of The adjacent building Bldg #4 (2 story Building) was not extended above The highest Construction of The subject Property. Chimney is located next to The building Wall of The Subject Property. Also observed That National Grid issues a hazardous condition notice To The owner of adjacent building. This Condition pose hazard from gas on adjacent building Tenants
Also observed That All exterior wall for subject property at Bldg #4 is ~~Complete~~ Completed.

Remedy: Stop All work entire site, Except To extend Chimney. No other work

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: M Samaan **Signature:** M. Samaan **Badge#** 3291 **Unit Code:** CE

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ECB-PC (Rev. 8/21)