

NYCServ Violation Copy

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35674553Z



SUMMONS AND COMMISSIONER'S ORDER • CIVIL PENALTIES APPLY

SUMMONS NUMBER: 35674553Z

ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS

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



35674553Z

RESPONDENT: AC-118 WEST 37th ASSOCIATES LLC (First Name/Entity, Last)

MAILING ADDRESS: 411 5th AVENUE 9 FL. DOB License/Registration #: N/A

MANHATTAN, NY.

CELL PHONE: N/A

DATE OF OCCURRENCE: 08/15/2023

TIME OBSERVED: 4:12 PM (ET)

PLACE OF OCCURRENCE: 118 WEST 37th STREET.

BOROUGH: MANHATTAN

BLOCK: 838 LOT 76 BIN: 1014952

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

HEARING DATE: 10/19/2023 AT: ☒ 8:30 am ☐ 10:30 am ☐ 12:30 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):

☐ 1-2 Family Property

Details of Violation(s)

Must Appear: ☒

(If disputing the charge)

Type of Construction: FISP No. of Stories: 18 Vio. Type: LL Dist: 05 Code: FF No. 04

Occupancy at Time of Inspection: COMMERCIAL Complaint#: 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>B1E4</u>	<u>I</u>	<u>28-302.5</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 II Condition per 1 RCNY 102-01(f)

Violation Detail(s): FAILURE TO PROVIDE SAFETY MEASURES SUCH AS (SIDE WALK SAFED, NETTINGS ETC.) WHERE REQUIRED TO PROTECT AND SECURE PUBLIC SAFETY FROM DOCUMENTED UNSAFE FACADE AS PER TRCN4-103-04. FACADE TECHNICAL REPORT FILED UNSAFE BY PE/RA ON 02/20/2023 AND TO THIS DATE 08/15/2023 NO SAFETY MEASURES ARE IN PLACE.

AT TIME OF INSPECTION THERE WER SPALLING TERRACOTTA DEFECTIVE MASONRY ON EXPOSURE #1 NORTH ELEVATION 3rd STREET ELEVATION CRACK IN BRICK HEAD MASONRY.

Remedy: PROVIDE ADEQUATE SAFETY MEASURES WHERE REQUIRED TO PROTECT THE PUBLIC FROM UNSAFE FACADE AS PER TRCN4

THE COMMISSIONER ORDERS THAT YOU TIMELY CORRECT THESE CONDITIONS AND FILE A CERTIFICATE OF SUCH CORRECTION 08/20/23 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: RAULPH FRASER Signature: [Signature] Badge# 2786 Unit Code: FA

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ECB-PC (Rev. 8/21)