

NYCServ Violation Copy

Internet



39117801M

				
		SUMMONS NUMBER: 039117801M		
SUMMONS AND COMMISSIONER'S ORDER-CIVIL PENALTIES APPLY ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS AGENCY ADDRESS AND WEBSITE: 280 Broadway, New York, NY 10007 www.nyc.gov/buildings				
RESPONDENT: 38TH STREET REALTY,		(FIRST NAME/ENTITY, LAST)		
MAILING ADDRESS: 415 14TH ST. CARLSTADT, NJ 07072-1910		DOB LICENSE/REGISTRATION#:		
		CELL PHONE: N/A		
DATE OF OCCURRENCE: 06/26/2024		TIME OBSERVED: 01:45 PM	BOROUGH: Manhattan	
PLACE OF OCCURRENCE: 38 WEST 38 STREET		BLOCK: 00839	LOT: 00068 BIN: 1015979	
You must appear or respond to the details of violation(s) below. For HOW TO RESPOND, see next page.				
HEARING DATE: 09/05/2024 AT: 08:30 AM				
OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: Manhattan (See locations on next page)				
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 VIOLATING CONDITION(S) AND CERTIFY CORRECTION				
CURE DATE (Zero Penalty Option, if available): 08/26/2024		Must Appear: ☐ (If disputing the charge)		
Type of Construction: III		No. of Stories: 5	Related Job#: n/a	
Occupancy at Time of Inspection: Commercial		Basis of Violation: 1666968		
Based on an inspection of the premises or the 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	Standard Penalty	Maximum Penalty
B203	Class 2	28-118.3.2	\$1,250	\$6,250
☐ Recurring Condition Aggravated I per 1RCNY 102-01(f)	☐ Aggravated II Condition per 1 RCNY 102-01(f)	☐ 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.	☐ Stop Work Order Issued: _____ ☐ Vacate Order Issued: _____ Vacate#: _____
Violation Detail(s): ATOL, commercial space at 2nd fl front occupied as astrology psychic reading business, contrary to FCofO #33046 issued 7-24-1947 which states that 2nd fl is to be used as offices, showrooms and factory Remedy: Discontinue illegal occupancy or amend C of O; amend CofO or restore premises to prior legal use				
THE COMMISSIONER ORDERS THAT YOU TIMELY CORRECT THESE CONDITIONS AND FILE A CERTIFICATE OF SUCH CORRECTION. See 1RCNY 102-01 and the 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: G Butler		Signature: Electronically Signed by G Butler 06/26/2024 02:15 PM	Badge#: 2725	Unit Code: 1C