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39522933N

NYC Buildings

SUMMONS NUMBER: 039522933N

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: SAL BRUSCA INC GC#025244 **(FIRST NAME/ENTITY, LAST)** General Contractor

MAILING ADDRESS: 1581 FRANKLIN AVENUE MINEOLA NY 11501 **DOB LICENSE/REGISTRATION#:** **CELL PHONE:** N/A

DATE OF OCCURRENCE: 10/27/2023 **TIME OBSERVED:** 10:40 AM **BOROUGH:** Queens

PLACE OF OCCURRENCE: 75-36 65 DRIVE, Queens 11379 **BLOCK:** 03037 **LOT:** 00021 **BIN:** 4070787

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

HEARING DATE: 01/02/2024 **AT:** 8:30AM

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: Queens (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): Not Applicable **Must Appear:** ☑ **(If disputing the charge)**

Type of Construction: ALTERATION **No. of Stories:** 2 **Related Job#:** Q00489477

Occupancy at Time of Inspection: Alteration **Basis of Violation:** Missing Over Head Protection

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
B106	Class 1	BC 3309	$ 2,500	$ 12,500

☐ 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 Class1 daily and Class 2 monthly penalty may apply	☐ **Stop Work Order Issued:** No ☐ **Vacate Order Issued:** **Vacate #:**

Violation Detail(s):

Miscellaneous violations. At time of inspection of a 2 story building under a vertical and horizontal extension alteration, I observed that there was no protection for the adjacent property rear yard. Two stories of new construction erected could fall and create debris dropping into the adjacent property causing damage or injury to residents while in the yard.

Remedy:

Comply with Code Stop all interior and exterior work at ex#3 and ex#4 and stay 10 feet back from the leading edge. Provide Over Head Protection.

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 next page 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 Gambrell **Signature:** Electronically Signed by N Gambrell 10/27/2023 11:20 AM **Badge#:** 3083 **Unit Code:** CE