



DEPT OF BLDGS 123793671 Job Number

ES860668730 Scan Code

35540745J

SUMMONS AND COMMISSIONER'S ORDER • CIVIL PENALTIES APPLY

SUMMONS NUMBER: 35540745J

ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGS

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

RESPONDENT: SHANNON CONTRACTING LLC (First Name/Entity, Last)
MAILING ADDRESS: 815 MCLEAN AVE SUITE 2 DOB License/Registration #: 607842
YONKERS, NY 10704
CELL PHONE: N/A

DATE OF OCCURRENCE: 05 / 06 / 2021 TIME OBSERVED: 9:41 am/pm
PLACE OF OCCURRENCE: 99 BANK ST BOROUGH: MANHATTAN
BLOCK: 1024 LOT 1 BIN: 1011368

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

HEARING DATE: 7/22/2021 AT: ☒ 8:30 am ☐ 10:30 am ☐ 1:30 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): Must Appear: ☒
Details of Violation(s) (If disputing the charge)

Type of Construction: II No. of Stories: 6 Vio. Type: L Dist: DBM Code LV No. 01

Occupancy at Time of Inspection: M/U Complaint#: Related Job# 123793671
(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 I per 1RCNY 102-01(f)	Stop Work/Vacate Order Issued ☐ Full ☐ Partial
	B106	1	28-201.1		
☐ 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): INADEQUATE TENANT PROTECTION PLAN.

NOTE: AT TIME OF INSPECTION, OBSERVED WORK BEING PERFORMED UNDER THE AFOREMENTIONED JOB NUMBER. THE SUBMITTED TPP CONTAINS INSUFFICIENT DETAILS FOR SECTION(2) FIRE SAFETY AND SECTION(3) HEALTH REQUIREMENTS. MEANS AND METHODS IN SUFFICIENT DETAILS ARE NEEDED, SO THAT TENANTS ARE NOT NEGATIVELY IMPACTED WHILE WORK IS BEING PERFORMED.

Remedy: PROVIDE SUFFICIENT DETAIL IN TPP.

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: L VICARI Signature: [Signature] Badge# 3135 Unit Code: B M

The Department of Buildings (DOB) has alleged that you committed the described violation or violations indicated on the front of this Summons. A mail notice of this Summons, contains a "Mail-in Penalty." You may admit the charge at any time by paying the penalty in full prior to your hearing. **YOU MUST ALSO CERTIFY CORRECTION.** **Note** If the front of the Summons states you **MUST APPEAR**, then you or an authorized representative must attend the hearing in person if you wish to dispute the charge(s). See the front of this Summons for the date, time and borough of your hearing.

HOW TO RESPOND

To admit the charge and pay the penalty by mail:

- Make the check or money order payable to "Finance Commissioner" in the amount of the Mail-in Penalty and write the Summons Number on the check or money order.
- Within ten (10) days of the date on this Summons, mail a copy of this Summons and the check or money order to:

OATH, PO Box 2307, Peck Slip Station, New York NY 10272

To admit the charge and pay the penalty in person:

- On any business day **before** the Hearing Date listed on the front of this Summons, bring this Summons and your payment to an OATH Hearings Center between 8:00 AM and 3:30 PM. Checks, money orders and credit cards are accepted.

To admit the charge and pay the penalty online:

- Go to <http://a836-citypay.nyc.gov/citypay/ecb>

CERTIFYING CORRECTION

EACH SUMMONS CONTAINS AN ORDER TO CORRECT THE CONDITION AND AN ORDER TO FILE AN ACCEPTABLE CERTIFICATE OF CORRECTION. This is required for all violations unless the summons is dismissed by the OATH Hearings Division. Immediately Hazardous (Class 1) violations must be corrected immediately. If an acceptable Certificate of Correction is not received, Administrative Code section 28-219.1 states additional penalties of \$1,500 must be imposed for each Class 1 violation. In addition, acceptance of a Certificate of Correction may also require payment of additional DOB civil penalties pursuant to 28-213.1 and 28-207.2.6 and 28-219.1.

For access to forms and additional information our website may be consulted at www.nyc.gov/buildings or www.nyc.gov/aeu.

To file a certificate of correction application, use an eFiling account to log into DOB NOW at www.nyc.gov/dobnow and select the BIS portal. If you need to create an eFiling account, visit www.nyc.gov/DOBNowTips.

If you have any questions about Certificates of Correction you may also call or email AEU at 212-393-2405 or aeucustomerservice@buildings.nyc.gov.

Some violations are eligible for a ZERO or reduced penalty for early correction in the form of a cure, stipulation or mitigation.

- Cure:** If the front of this Summons states a "Cure Date," you have the option to admit the violation and submit an acceptable Certificate of Correction to DOB by the "Cure Date" listed on the front of this Summons. If DOB approves your certification of correction on or before the "Cure Date," you will be found in violation but you will not have to attend a hearing or pay a penalty. If your "cure" submission is not approved before the "Cure Date," you must attend your hearing or admit and pay the amount indicated. If this option is not available and you are found in violation after a hearing, a penalty will be imposed. If a cure date is indicated on the face of this summons in error, you will not be eligible for a cure. For details on cure eligibility you may consult the Department of Buildings penalty schedule found in 1RCNY Section 102-01.
- Stipulation:** If eligible, you may receive a pre-hearing offer from DOB by which you may admit the violation and receive a reduced penalty of one-half the standard penalty. If you accept the offer prior to the hearing, you must submit an acceptable certificate of correction within 75 days of the first scheduled hearing date. If you do not submit an acceptable certificate of correction, the penalty will be increased to the standard or aggravated penalty, whichever is applicable.
- Mitigation at Hearing:** For some charges, you may be entitled to receive a reduced penalty if you attend the hearing and demonstrate that the violating condition was corrected by the first scheduled hearing date.

Penalty Ranges							
Types of Offenses	Class	Standard Penalty	Standard Default Penalty	Aggravated I Penalty	Aggravated Default Penalty	Aggravated II Penalty	Maximum Penalty
All violations (except Outdoor Signs & Illegal Conversion)	Class 1	\$1,000-\$15,000	\$5,000-\$25,000	\$2,500-\$25,000	\$10,000-\$25,000	\$5,000-\$25,000	\$25,000
	Class 2	\$500-\$5,000	\$2,500-\$10,000	\$1,250-\$10,000	\$5,000-\$10,000	\$2,500-\$10,000	\$10,000
	Class 3	\$200-\$500	\$500	\$500	\$500	\$500	\$500
Outdoor Advertising Signs	Class 1	\$10,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
In addition to the penalties set out below, Class 1 illegal conversion violations are subject to additional daily penalties of \$1,000 per day.							
\$28-210.1, \$28-210.2 or \$28-210.3	Class 1	\$2,500 - \$15,000	\$12,500 - \$25,000	\$6,250 - \$25,000	\$25,000	\$12,500 - \$25,000	\$25,000
	Class 2	\$2,500	\$10,000	\$6,250 - \$10,000	\$10,000	\$10,000	\$10,000
Additional Penalties Pursuant to \$28-202.1, 1 RCNY 102-01(g) and 48 RCNY 1-103	Class 1	Additional daily civil penalties for continued immediately hazardous violations. Remedy: File Certification of Correction prior to hearing to stop additional daily penalties.					
	Class 2	Additional monthly civil penalties for continued major violations. Remedy: File Certification of Correction prior to hearing to stop additional monthly penalties.					

If you do not admit the charge, the independent NYC Office of Administrative Trials and Hearings will hear and decide your case. If you do not pay the penalty or appear for your hearing, a default judgment may be entered against you and additional penalties may be imposed. In addition, your NYC license, registration or permit privileges may be denied or revoked.

If your case is NOT marked "MUST APPEAR," you may be able to deny the charge and present a defense online, by phone or by mail.

- Online:** To submit a defense online, visit www.nyc.gov/oath.
- Phone:** To schedule a hearing by phone, call (212) 436-0777.
- Mail:** To submit a defense by mail, send a signed statement of facts that must say "My signature in this statement certifies that all facts in it are true," with all documents you wish to have considered to: OATH Mail Unit, 66 John Street, 9th Floor, New York, NY 10038

To deny the charge and present a defense in person:

- You or an authorized representative may appear in person on the hearing date at the time and location shown on this Summons.
- If no location is listed or checked off, you may appear at any OATH Hearings Center (see locations below).
- Please be fully prepared for a hearing at that time by bringing this Summons and all of your evidence with you.
- If you require assistance with English, free language assistance will be provided.
- If you have a disability and require a reasonable accommodation on the day of your hearing, call the phone number listed below.

Note: YOU HAVE A RIGHT TO BE INFORMED OF THE MAXIMUM PENALTY. If no maximum penalty is shown, you may contact the NYCDQB's Administrative Enforcement Unit at 212-393-2405 for more information. Higher penalties may be imposed for each repeated (recurring condition) offenses up to the maximum allowed by law or regulation.

OATH HEARINGS CENTERS

Tel: 1-844-OATH-NYC (1-844-628-4692)

www.nyc.gov/oath

Manhattan: 66 John Street, 10th Floor, New York, NY 10038

Queens: 31-00 47th Avenue, 4th Floor, Long Island City, NY 11101

Staten Island: 350 St. Mark's Place, Main Floor, Staten Island, NY 10301

Brooklyn: 9 Bond Street, 5th Floor, Brooklyn, NY 11201

Bronx: 260 East 161st Street, 6th Floor, Bronx, NY 10451