



**L2: REQUESTS FOR OVERRIDES, REDUCTIONS, OR WAIVERS OF
CIVIL PENALTIES FOR WORK WITHOUT A PERMIT
AND STOP WORK ORDER VIOLATIONS**

FORM MUST BE TYPEWRITTEN

1 Job and Request Information (Required for all requests. A copy of the violation is required with the L2 submission.)

Job # **140815394**

Violation # **35136105R**

Indicate reason for request here by checking the applicable box:

OVERRIDE REQUEST:

- ☐ NRV: No relationship to the violation; where a work permit is being sought by a tenant/lessee or an owner for a commercial space that neither addresses the existing work without a permit violation, nor is it connected to the violation in any way. The permit being sought must be to the benefit of an occupant not cited in the notice of violation. For residential spaces this applies only to condominium or cooperative owners for work inside individual units where the notice of violation was issued for a shared common space.

REDUCTION REQUEST:

- ☐ REDT: Work completed without benefit of a permit constituted only a percentage of the total work. (Section #4 Affidavit of Reduction is required.)
- ☐ LEG: Work performed without a permit and an applicant is seeking a permit before a notice of violation is issued.

WAIVER REQUEST/ WWP Waiver Reasons:

- ☐ BFP: Where the owner is representing that he or she is a bona fide purchaser and the work was performed by the previous owner. (See AC §28-213.2). The following supporting documentation is required:
- Copy of the deed.
 - A notarized affidavit or letter of no relationship, which substantiates the owner's claims. If the bona fide purchaser is other than an individual, the affidavit or letter must be submitted on the entity's letterhead and signed by the owner or an officer of the corporation.
 - The affidavit or letter must include: the name of the bona fide purchaser; the location of the property; a statement that the property was not received as a gift; and, a statement that there was no interest or relationship with the prior owner and the new owner is not acting in any way for the benefit of the prior owner
- ☒ CPP: Where the civil penalty was already fully paid. (Provide BIS Invoice #: **13498166**
Or provide copy of front and back of cancelled check.)
- ☐ DUPW: For another WWP violation that remains open and that was issued for the same work and the same space. (The initial violation shall require payment of the civil penalty. Provide BIS Invoice # for the penalty that was already paid: _____)
- ☐ ECB: Where a WWP violation has been dismissed by the Environmental Control Board (ECB) tribunal whether on substantive or technical grounds.
- ☐ EWG: Emergency work performed by the NYC Department of Housing Preservation & Development (HPD) or other agency as directed by the Commissioner or work on unsafe buildings performed by HPD or other agency pursuant to a precept. (See AC §28-215.1).
- ☐ EWP: Emergency work performed without a permit, where an application for the work is filed with the Department within two business days after commencement of the work, except for emergency work described by Code EWG above. (See AC §28-105.4.1).
- ☐ EXP1: Where a fence, shed or scaffold or other temporary construction equipment was installed with a valid permit and the permit had expired.
- ☐ EXP2: When permits (other than for temporary construction equipment) expired and there was no ongoing work.
- ☐ GOV: For Federal, New York State, NYC or other government-owned property, or for property owned by eligible public authorities.
- ☐ TPT: HPD third party transfers where a court issues a foreclosure judgment allowing the City to transfer title of a foreclosed property to a new owner. Any civil penalties accrued before the closing date of the transfer must be waived. The new owner must provide a letter from HPD stating that there was a third party transfer and that penalties should be waived.

Stop Work Order (SWO) Waiver Reasons:

- ☐ SWBC: Where the Commissioner had determined that the violation should not have been issued for working against the SWO.
- ☐ SWOE: Where the ECB violation issued for violating the SWO was dismissed for any reason.

2 Location Information (Required for all requests)

House No **216** Street Name **WEST 22 STREET**
Borough **MANHATTAN** Block **771** Lot **48** BIN **1014077** CB No. **104**
Work on Floor (s) **CEL,001** Apt/Condo No (s) _____

3 Owner Information (Required for all requests. Notarized signature by owner or authorized designee is required in Section 6.)

Last Name KONSTAM	First Name ALLEN	M.I. _____
Business Name 216 WEST 22ND STREET LLC	Phone (646) 442-4210	E-mail Address AKONSTAM@MADISONREAL
Address 825 3RD AVENUE 37TH FLOOR	City NEW YORK	Zip Code 10022



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4 Affidavit of Reduction (Only required if reduction is requested. Affidavit needs to be provided by PE or RA. If the reduction request relates to a Limited Alteration Application—LAA—then the affidavit may be provided by another licensee type, such as a licensed plumber.)

1. This affidavit is submitted in support of the request indicated in Section 1 of this form (Job and Request Information).
2. On _____ (date) at _____ (☒ am ☐ pm) I inspected the above-captioned premises to determine whether the work covered by the application was commenced without benefit of a New York City Department of Buildings Permit.
3. This affidavit is being submitted to the New York City Department of Buildings within two business days of my inspection.
4. My inspection revealed that the following work, (written description must be provided below with at least four (4) supporting photographs in order to be accepted for consideration), filed for in the application, was completed without benefit of a permit. (Photographs need to have been taken within two business days of inspection.)
5. Job # _____ Violation # _____

Internal Use Only — Preliminary Borough Review

Building Classification _____ Reduction Amt \$ _____
Name (please print) _____
Signature _____ Date _____

5 PE/RA/Other Licensee Applicant Data (Only required if reduction is requested)

Last Name _____ First Name _____ M.I. _____
Business Name _____ Phone _____
Address _____
City _____ State _____ Zip Code _____
☐ PE ☒ RA ☐ Other _____ License No. _____

Name (please print) _____
Signature _____ Date _____

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both.

PE / RA / Other Seal (apply seal, then sign and date over seal)

6 Notarization

State of New York, County of Kings
Sworn to before me this 12th day of Dec
20 18

Notary Seal **ERICA J. ZAPATA**
NOTARY PUBLIC-STATE OF NEW YORK
No. 01ZA6227033
Qualified in Kings County

My Commission Expires 08-16-2022
Notary Signature _____

Owner or Authorized Designee Signature
Date _____

Hardone Cotto 12/12/18

Internal Use Only

Borough Commissioner Review

☐ Approved ☐ Denied ☐ Reduction Amt \$ _____

Approval/Denial Reason: _____

Name (please print) _____

1st Level Signature _____

Date _____

2nd Level Review—Fiscal

☐ Approved ☐ Denied ☐ Reduction Amt \$ _____

Approval/Denial Reason: _____

Tracking #: _____

Name (please print) _____

2nd Level Signature _____

Date _____

NYCServ Violation Copy

Internet



35136105R



NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 35136105R
ENVIRONMENTAL CONTROL BOARD

Respondent		First name (or entity name)		Last name	
216 WEST 22ND STREET LLC					
☐ Mailing address (Check if same address as place of occurrence)		Number and street		City	State Zip code
825 MADISON AVE.		NEW YORK		N.Y.	10065
		License No. (If Applicable)		Construction Activity	
Additional mailing to be sent (agent, care of, other):					
Name		First name		Last name	Company
Mailing address		Number and street		City	State Zip code

Commissioner's Order To Correct Violations

Place of occurrence		Boro	Date of violation	Type	Dist.	Code	No.
216 WEST 22ND STR.		MANHATTAN	05/13/15	X0	104	EC	03
Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation	
NFP	1014077	5.00	771	48	N-DWELLING	1337640	

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 Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed		Stop Work Order	Class 1	Class 2	Class 3	Recurring Condition
Infraction Code	Provision of Law	☐ Full ☐ Partial	☐	☐	☐	☐
B 301	28-105.1					
WORK WITHOUT PERMIT. WORK NOTED: A CEILING LEVEL INSTALLED WATER AND WASTE LINES AT BATHROOM FOR A SHOWER. INSTALLED FULL PARTITION WALLS CREATING AND ADDITION ROOM. WORK OBSERVED AT APARTMENT #11E. JOB #12174077 FILE AT PREMISES REPAIR APARTMENT. PLUMBING WORK SHOW ONLY (2) PIECE BATHROOM AND PLUMBING WORK FOR SIGN-OFF.						

Remedy: OBTAIN PERMIT

☐ ILLEGAL CONVERSION - CLASS 1. Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 or 28-210.3 also applicable.

☐ Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. ☐ Aggravated II Condition per 1RCNY 102-01(f).

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See "Certifying Correction" on reverse.

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options	
CURE DATE	HEARING DATE
8/28/15	9/3/15 at 8:30 AM ☐ 10:30 AM ☐ 1:30 PM
If a date appears in the box above, you may have the option to admit the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation. The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at www.nyc.gov/buildings or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION. Environmental Control Board hearing locations: ☐ Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. ☒ Manhattan, (212) 361-1400 - 66 John Street, 10th fl. ☐ Brooklyn, (718) 923-8100 - 9 Bond Street, 7th fl. ☐ Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl. ☐ Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl. Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.	

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print)
Z. CHATZEP.
2314151 X10
Badge number Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.
Issuing officer's signature
This statement is affirmed under penalty of perjury.

ORIGINAL - ECB COPY

35136105R
ECB-PC (Rev. 5/13)



***** NEW YORK CITY *****
*** DEPARTMENT OF BUILDINGS ***

R E C E I P T

INVOICE #: 13498166 DATE: JANUARY 25 2019 TIME: 11:02 A.M.

TOTAL PAYMENT RECEIVED: 15000.00

PAYMENT: 15000.00

CHECK #: 013038

PAYMENT: 0.00

FOR: WORK W/O PERMIT (CIVIL PENALTY)

JOB #: 140815394 01

216 WEST 22 STREET

VIOL: 35136105R

RECEIVED FROM: MANHATTAN BOROUGH OFFICE

STATION: 05

05111 000803 00600 WO