



NOTICE OF VIOLATION AND HEARING



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

Violation No. 34865573L
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name) <i>85-09 Realty LLC</i>		Last name		
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street <i>94-10 89 AVE</i>	City <i>Woodhaven</i>	State <i>NY</i>	Zip code <i>11424</i>	
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)	Project Code	
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence	<i>85-17 37th AVE</i>	Boro <i>Q</i>	Date of violation <i>08/16/10</i>	Type <i>e</i>	Dist. <i>03</i>	Code <i>H</i>	No. <i>02</i>
Construction type <i>CLW</i>	BIN No. <i>4035834</i>	No. of stories <i>01</i>	Block <i>1459</i>	Lot <i>36</i>	Occupancy at time of inspection <i>Vacant/Stone</i>	Basis of violation <i>LCY</i>	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the sections of law cited below, of Title 27, Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 and/or 2 of the Rules of the City of New York.

Violating Conditions Observed	Stop Work Order <input checked="" type="checkbox"/> Full <input type="checkbox"/> Partial	Class 1 <input type="checkbox"/>	Class 2 <input checked="" type="checkbox"/>	Class 3 <input type="checkbox"/>	Recurring Condition <input type="checkbox"/>
Infraction Code <i>B201</i>	Provision of Law <i>28-105.1</i>	<i>Work without a permit</i> <i>note: installation of dust</i> <i>work ceiling bars, and sheet</i> <i>rock enclosure at first floor</i>			
Remedy: <i>Stop At Work obtain a permit</i>					

- ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 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 of the Department of Buildings orders that you correct these conditions and file a certificate of such correction.

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 <i>09/27/10</i>	HEARING DATE <i>10/05/10</i> at <input type="checkbox"/> 8:30 AM <input checked="" type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
<p>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, non-ECB civil penalties may apply before a cure can be granted. For more information, see reverse side of the respondent copy of this Notice of Violation.</p>	<p>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. Refer to the ECB Violation Penalty Table in the Reference area of www.nyc.gov/buildings or check the violation status on the BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION</p> <p>Environmental Control Board hearing locations:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl. <input type="checkbox"/> Brooklyn, (718) 875-7428 - 233 Schermerhorn Street, 11th fl. <input type="checkbox"/> Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl. <input type="checkbox"/> Staten Island, (212) 361-1400 - 350 St. Marks Place, 1st fl. <p>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 an appearance is not required through availability of a Cure or Stipulation (see reverse), will result in a default and imposition of maximum penalties.</p>

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 the Department of Buildings at 311, or download the "ECB Violation Reference Guide" in the Reference Materials section at www.nyc.gov/buildings.

Issuing officer's last name, first initial (print)
Archer

Badge number *4762* Unit Code *40*

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature *Leonard Archer*

This statement is affirmed under penalty of perjury.

Supervisor's signature _____

34865573L
ECB-PC (Rev. 9/08)