

SCRN: CVPSSQV1

DEPT OF ENVIRONMENTAL PROTECTION

DATE: 3/22/17

TERM: 1668

VIOLATION INQUIRY (HISTORY) - PAGE 1

TIME: 13:34:02

VIOLATION: 035065042N ROLL: 00000 IMAGE: 00000 STATUS: PAID IN FULL
INSTALLATION: 3126606 FACILITY NO: DISP: IN VIOLATION
DUE: NOTHING DUE

RESP LAST NAM: 111-115 DITMAS AVENUE REALTY FIRST NAM:

HOUSE: 1518 BORO: 3 BROOKLYN

STREET: 50 STREET

CITY: BROOKLYN STATE: NY ZIP: 11219

VIOLATION ADDR: HOUSE: 115 BORO: 3 BROOKLYN

STREET: DITMAS AVENUE

RTC:

INFRACTIONS: 1 AC28-117.1

2 3 4

5 6 7

VIOLATION INPUT DATE: 11/26/13

VIOLATION CODE: 222

TAX LIEN: N

VIOLATION DATE/TIME: 11/11/13 1030

OFFICER ID: 0723

RPT LEV: ER

SCHEDULED DATE/TIME: 04/01/14 1030

ALJ ID: 0909

EXHB ATT: Y

SCHEDULED LOCATION: 4 BROOKLYN

INT: 0.00+ DOCKET:

FACE AMOUNT: 800.00+

IMPOSED AMOUNT: 800.00+

ADD'L PENALTIES: 0.00+

PAID TO DATE: 800.00+

NET ALL ADJUSTS: 0.00+

BALANCE DUE: 0.00+

CMD: _____

MSG: *PRESS PF6 TO DISPLAY ACTUAL HEARING DATE

V

VIOLATION NO.: 035065042N
 ROLL: 00000
 IMAGE: 00000

			EVENT	---BALANCE DUE---	
SEQ	REC DATE	EVENT	AMOUNT	CHANGE	NEW BAL
001	11/11/13	ISS - NEW VIOL ISSUANCE	+800.00	+0.00	+0.00
RMK: ER, 3, 20131230, 0830, 4, R= , I=					
002	12/27/13	SCH - HEARING RESCHEDULED	+0.00	+0.00	+0.00
RMK: 20140203, 4, 1030, R, N, 0					
003	02/03/14	SCH - HEARING RESCHEDULED	+0.00	+0.00	+0.00
RMK: 20140331, 4, 1030, R, N, 0					
004	03/31/14	ASG - HEARING ASSIGNED	+0.00	+0.00	+0.00
RMK: 20140331, 4, 0909					
005	04/01/14	ASG - HEARING ASSIGNED	+0.00	+0.00	+0.00
RMK: 20140401, 4, 0909					
006	04/01/14	ASG - HEARING ASSIGNED	+0.00	+0.00	+0.00
RMK: 20140401, 4, 0909					
007	04/01/14	HRG - HEARING RESULTS	+800.00	+800.00	+800.00
RMK: 0909, 4, V, , N, , , R= , I=					
008	04/16/14	PHA - REV PHASE ACTION	+0.00	+0.00	+800.00
RMK: C, , DU1					

CMD: _____
 MSG: REMARKS ARE SUPPRESSED - PRESS PF6 TO DISPLAY
 V

SCRN: CVPSSQV2

DEPT OF ENVIRONMENTAL PROTECTION

DATE: 3/22/17

TERM: 1668

VIOLATION INQUIRY (HISTORY) - PAGE 02 OF 02

TIME: 13:34:10

VIOLATION NO.: 035065042N

ROLL: 00000

IMAGE: 00000

SEQ	REC DATE	EVENT	AMOUNT	CHANGE	NEW BAL
009	04/23/14	PAY - PAYMENT MADE TO ECB	-800.00	-800.00	+0.00
RMK: 20140424P , , PAY, +0.00, +0.00, +0.00, +0.00, R= CPNY, I=03199					

RMK:

RMK:

RMK:

RMK:

RMK:

RMK:

RMK:

CMD: _____

MSG: REMARKS ARE SUPPRESSED - PRESS PF6 TO DISPLAY

V



NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINSTViolation No. 35065042N
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name) 111-115 Ditmas Avenue Realty	Last name			
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street 158 50th St	City Brooklyn	State NY	Zip code 11219	
Additional mailing to be sent (agent, care of, other):		License No. (if Applicable)	Construction Activity		
Name	First name	Last name	Company		
Mailing address	Number and street	City	State	Zip code	

Commissioner's Order To Correct Violations

Place of occurrence 115 Ditmas Ave	Boro BK	Date of violation 11/11/13	Type C	Dist. NE	Code 26	No. 04
Construction type TIL	BIN 3126606	No. of stories 1	Block 5395	Lot 53	Occupancy at time of inspection Eating/drinking	Basis of violation 3461564

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 <input type="checkbox"/> Full <input checked="" 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 B222	Provision of Law 28-117-1	Operation of a Place of assembly without a current Certificate of operation note eating/drinking establishment is arranged for occupancy of 85 person inside and rear yard.				
Remedy: Obtain a current certificate of operation or discontinue use of rear yard.						
<input type="checkbox"/> 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.						
<input type="checkbox"/> Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.						
<input type="checkbox"/> 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 12/23/13	HEARING DATE 12/30/13 at 8:30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
If a date appears in the box above, you may have the option to <u>admit</u> 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.	
Environmental Control Board hearing locations: <input type="checkbox"/> Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl. <input type="checkbox"/> Manhattan, (212) 381-1400 - 66 John Street, 10th fl. <input checked="" type="checkbox"/> Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl. <input type="checkbox"/> Bronx, (718) 993-8110 - 3030 3rd Ave., 2nd fl. <input type="checkbox"/> Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.	
Proceedings will be held under the authority of the NYC Charter section 1049-b 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)

Gittens D
712311 N/E
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.

35065042N

ECB-PC (Rev. 5/13)

ORIGINAL - ECB COPY

Affidavit / Affirmation of Service

STATE OF NEW YORK, COUNTY OF Kings ss:

The undersigned affirms, or, being duly sworn, deposes and says: That I am over 18 years of age, and not a party to this proceeding, and that on the 11 day of Nov, 2013 at 10:30 a.m. (a.m.) (circle one) at 115 Jones Ave. (full address)

I served the within Notice of Violation and Hearing on the respondent named therein:

Note: You must complete either section A or B or C. Section D must also be completed if service was effected through A1, A2, or B1.

A. INDIVIDUAL OR PARTNERSHIP

1. ☐ Individual or Partnership - Personal Service, by delivering and leaving a true copy with _____ respondent personally.
2. ☐ Individual or Partnership - Substituted Service, by delivering a true copy to _____ a person of suitable age and discretion at respondent's actual place of business, dwelling or usual place of abode within the state.
- ☐ Required Mailing (Use with 2). On ____/____/____ I enclosed a copy of same in a first class post paid envelope properly addressed to respondent's last known residence or actual place of business and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service. The envelope bore the legend "personal & confidential" and did not indicate on the outside thereof, by return address or other wise that the communication was from an attorney or concerned an action against the respondent.

B. CORPORATION

1. ☐ Corporation/LLC, by delivering and leaving a true copy with _____ an officer, director, managing agent, or general agent (circle one) of said respondent corporation, or any member of the LLC or person designated to receive service of process.
2. ☐ Secretary of State Service, by delivering to and leaving two copies with _____ in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York. Said service was made pursuant to article three of the Business Corporation Law. Deponent further says that s/he knew the person so served as aforesaid to be employed in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said respondent.

C. ALTERNATE METHOD/CHARTER SERVICE (Posting at place of occurrence)

- ☐ Alternate method of service pursuant to New York City Charter §1049-a(d)(2) [Affix and Mail Service]. I made the following reasonable but unsuccessful attempt to effectuate service upon respondent or upon any other person whom service may be made as follows: _____

A true copy of the notice of violation was posted at the following conspicuous place on the premises where the

violation occurred: Posted on entry door - owner or agent

Additional Information: Present

D. DESCRIPTION OF INDIVIDUAL SERVED (Complete for A1, A2, or B1)

Deponent further states that s/he describes the person actually served as follows:

GENDER	SKIN COLOR	HAIR COLOR	OTHER	AGE	HEIGHT	WEIGHT
<input type="checkbox"/> Male	<input type="checkbox"/> Black	<input type="checkbox"/> Black	<input type="checkbox"/> Balding	<input type="checkbox"/> 14-20 yrs.	<input type="checkbox"/> under 5'	<input type="checkbox"/> under 100 lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Brown	<input type="checkbox"/> Blond	<input type="checkbox"/> Mustache	<input type="checkbox"/> 21-35 yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 101-130 lbs.
	<input type="checkbox"/> White	<input type="checkbox"/> Brown	<input type="checkbox"/> Beard	<input type="checkbox"/> 36-50 yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 lbs.
		<input type="checkbox"/> Gray	<input type="checkbox"/> Glasses	<input type="checkbox"/> 51-65 yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 lbs.
		<input type="checkbox"/> Red		<input type="checkbox"/> Over 65 yrs.	<input type="checkbox"/> Over 6'0"	<input type="checkbox"/> Over 200 lbs.
		<input type="checkbox"/> White				

Other identifying characteristics _____

Served by: Signature <u>Don Rittens</u> Print full name <u>Don Rittens</u> <input checked="" type="checkbox"/> Issuing officer, City of New York This service statement is affirmed under penalty of perjury. <input type="checkbox"/> Process Server (complete next box)	For process server SWORN TO BEFORE ME ON: ____ day of _____ Notary signature _____
---	---

Supervisor's Signature Don 4/12/12
(FOR OFFICE USE ONLY)



Environmental Control Board

A Division of the Office of Administrative Trials and Hearings

☐ 66 John Street
10th Floor
New York, NY 10038
Tel. # 212-560-6270
Fax #: 212-436-0715

☒ 9 Bond Street
7th Floor
Brooklyn, NY 11201
Tel. # 718-923-6100
Fax # 718-875-5561

☐ 144-06 94th Avenue
Main Floor
Jamaica, NY 11435
Tel. # 718-298-7300
Fax # 718-298-7075

☐ 350 St. Marks Place
Main Floor
S.I., NY 10301
Tel. # 718-815-8385
Fax # 718-815-8391

☐ 3030 Third Avenue
2nd Floor
Bronx, NY 10455
Tel. # 718-993-6110
Fax # 718-993-3077

REQUEST FOR A NEW HEARING DATE

Date: 12-27-13

Respondent: _____

(The Respondent is the person or business entity named on the front of the violation.)

Request submitted by: Betta Bernard

Relationship to Respondent: _____ Respondent
_____ Authorized Representative

Full Mailing Address: _____

Telephone Number: _____

Violation number(s): _____

350650402

41L

42N

2013 DEC 27 PM 3:42

ECB

Reason for new hearing date request:

Conflict

FOR OFFICE USE ONLY (Do not write below this line)

Old hearing date: 12-30-13

New hearing date: 2-3-14

€ Respondent/Authorized Representative was informed that this is a final rescheduled.

€ Respondent/Authorized Representative was advised of the pre-hearing stipulation.

Request taken by: Nimkence



Environmental Control Board

A Division of the Office of Administrative Trials and Hearings

☐ 66 John Street
10th Floor
New York, NY 10038
Tel. # 212-560-6270
Fax #: 212-436-0715

☐ 9 Bond Street
7th Floor
Brooklyn, NY 11201
Tel. # 718-923-6100
Fax # 718-875-5561

☐ 144-06 94th Avenue
Main Floor
Jamaica, NY 11435
Tel. # 718-298-7300
Fax # 718-298-7075

☐ 350 St. Marks Place
Main Floor
S.I., NY 10301
Tel. # 718-815-8385
Fax # 718-815-8391

☐ 3030 Third Avenue
2nd Floor
Bronx, NY 10455
Tel. # 718-993-6110
Fax # 718-993-3077

REQUEST FOR A NEW HEARING DATE

Date: 2.3.14

Respondent: Telman Yusufov 115 DITHAS AVE BR. NY 1121
(The Respondent is the person or business entity named on the front of the violation.)

Request submitted by: Telman Yusufov

Relationship to Respondent: ☒ Respondent
☐ Authorized Representative

Full Mailing Address: 115 DITHAS AVE BROOKLYN NY 11218

Telephone Number: _____

Violation number(s):
350 650 40 J NF
350 650 41 L NF
350 650 42 N

2014 FEB -3 AM 10:38
ECB

Reason for new hearing date request:
Filing of status is in process with Dep
of buildings

FOR OFFICE USE ONLY (Do not write below this line)

Old hearing date: 02/03/14 New hearing date: 03/31/14

€ Respondent/Authorized Representative was informed that this is a final rescheduled.

€ Respondent/Authorized Representative was advised of the pre-hearing stipulation.

Request taken by: J. Moellen 10:30 AM



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Brooklyn Office
9 Bond Street 7th Floor, Brooklyn, NY 11201
(844) 628-4692

NOTICE OF APPEARANCE

Summons Number(s): 035065042N
Respondent: 111-115 DITMAS AVENUE REALTY
Respondent/Representative: 111-115 DITMAS AVENUE REALTY
Decision Mail Address: 1518 50 STREET
BROOKLYN, NY 11219

Respondent/Representative Signature

(FOR OATH USE ONLY)

The aforementioned participant appeared before me on this 31st day of March 2014

- ☐ Hearing adjourned (You will have to return to OATH on a date in the future.)
☐ Decision reserved (The hearing is complete. You will receive a decision in the mail.)

Additional Comments: _____

James DeVito NYC2143 0909



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Brooklyn Office
9 Bond Street 7th Floor, Brooklyn, NY 11201
(844) 628-4692

NOTICE OF APPEARANCE

Summons Number(s): 035065042N
Respondent: 111-115 DITMAS AVENUE REALTY
Respondent/Representative: Cityscape
Decision Mail Address: 1400 Avenue Z
Brooklyn, NY 11235

Respondent/Representative Signature

(FOR OATH USE ONLY)

The aforementioned participant appeared before me on this 31st day of March 2014

- ☐ Hearing adjourned (You will have to return to OATH on a date in the future.)
☐ Decision reserved (The hearing is complete. You will receive a decision in the mail.)

Additional Comments: _____

James DeVito NYC2143 0909



**THE CITY OF NEW YORK
ENVIRONMENTAL CONTROL BOARD**

HEARING LOCATION:
Environmental Control Board
9 Bond Street
7th Floor
Brooklyn, NY 11201
(718) 923-6100



124824621451E85E66B

Method of Appearance
Live Hearing

DECISION AND ORDER
Violation #: 035065042N (1 NOV)
Hearing Date: March 31, 2014

To: Cityscape
1400 Avenue Z
Brooklyn, NY 11235

City of New York v. 111-115 DITMAS
AVENUE REALTY

Total Civil Penalty: \$800.00

I Notice(s) of Violation (NOV(s)) was/were issued to the Respondent On the record before me, and upon the Further Findings of Fact/Conclusions of Law stated below, I find as follows and, where applicable, order payment and compliance.

NOV: 035065042N
PLACE OF OCCURRENCE: 115 DITMAS AVENUE BROOKLYN
DATE OF OCCURRENCE: 11/11/2013
ISSUING OFFICER/AGENCY: 0723 DOB
ECB CODE: B222
CHARGE: AC 28-117.1
DISPOSITION: IN VIOLATION

CIVIL PENALTY IMPOSED: \$800.00

FURTHER FINDINGS OF FACT/CONCLUSIONS OF LAW:

NOV: 035065042N AC 28-117.1


The respondent, 111-115 Ditmas Avenue Realty, is charged with operating a place of assembly without a certificate of operation. The respondent's expeditor, Ivette Bernard appeared and testified on behalf of the respondent. Ms. Bernard testified that the respondent has authorized her to appear and testify in its behalf. Mr. Anthony Forzaglia, Esq., appeared on behalf of the DOB.

Ms. Bernard testified that the respondent is in the process of obtaining the requisite certificate.

While I credit the respondent's testimony, the respondent has not offered a valid defense.

The violating conditions observed as specified has established a class two violation hazardous, posing a threat that affects the life, health, safety, property, or the public interest so as to warrant corrective action.

Accordingly, the NOV is sustained and the board approved penalty is imposed for a class two violation.

TOTAL CIVIL PENALTY: \$800.00		
	Control 5	04/01/2014
James DeVito, Administrative Law Judge		Date

**PAYMENT DUE WITHIN TEN (10) DAYS
READ BACK OF THIS ORDER – PROTECT YOUR RIGHTS**

SCRN: CVPSSQV1 DEPT OF ENVIRONMENTAL PROTECTION DATE: 3/22/17
TERM: 1668 VIOLATION INQUIRY (HISTORY) - PAGE 1 TIME: 13:22:59

VIOLATION: 035065040J ROLL: 00000 IMAGE: 00000 STATUS: PAID IN FULL
INSTALLATION: 3126606 FACILITY NO: DISP: IN VIOLATION
DUE: COMPLIANCE

RESP LAST NAM: 111-115 DITMARS AVENUE REALTY FIRST NAM:
HOUSE: 1518 BORO: 3 BROOKLYN
STREET: 50 STREET
CITY: BROOKLYN STATE: NY ZIP: 11219

VIOLATION ADDR: HOUSE: 115 BORO: 3 BROOKLYN
STREET: DITMAS AVENUE RTC:

INFRACTIONS: 1 AC28-105.1

2	3	4
5	6	7

VIOLATION INPUT DATE: 11/26/13 VIOLATION CODE: 201 TAX LIEN: N
VIOLATION DATE/TIME: 11/11/13 1030 OFFICER ID: 0723 RPT LEV: ER
SCHEDULED DATE/TIME: 04/01/14 1030 ALJ ID: 0909 EXHB ATT: N
SCHEDULED LOCATION: 4 BROOKLYN INT: 0.00+ DOCKET:
FACE AMOUNT: 800.00+ IMPOSED AMOUNT: 800.00+
ADD'L PENALTIES: 0.00+ PAID TO DATE: 800.00+
NET ALL ADJUSTS: 0.00+ BALANCE DUE: 0.00+
CMD: _____ MSG: *PRESS PF6 TO DISPLAY ACTUAL HEARING DATE V

SCRN: CVPSSQV2

DEPT OF ENVIRONMENTAL PROTECTION

DATE: 3/22/17

TERM: 1668

VIOLATION INQUIRY (HISTORY) - PAGE 01 OF 02

TIME: 13:23:04

VIOLATION NO.: 035065040J

ROLL: 00000

IMAGE: 00000

SEQ	REC DATE	EVENT	AMOUNT	---BALANCE DUE---	NEW BAL
001	11/11/13	ISS - NEW VIOL ISSUANCE	+800.00	+0.00	+0.00
RMK: ER, 3, 20131230, 0830, 4, R= , I=					
002	11/26/13	OFF - STIPULATION OFFERED	+400.00	+0.00	+0.00
RMK: Y					
003	12/27/13	SCH - HEARING RESCHEDULED	+0.00	+0.00	+0.00
RMK: 20140203, 4, 1030, R, N, 0					
004	02/03/14	MAI - MAIL NAME/ADDR CHGS	+0.00	+0.00	+0.00
RMK: 6, Y, Y, YUSUFOU , 115 , DITMAS AVENUE					
005	02/03/14	SCH - HEARING RESCHEDULED	+0.00	+0.00	+0.00
RMK: 20140331, 4, 1030, R, N, 0					
006	03/31/14	ASG - HEARING ASSIGNED	+0.00	+0.00	+0.00
RMK: 20140331, 4, 0909					
007	04/01/14	ASG - HEARING ASSIGNED	+0.00	+0.00	+0.00
RMK: 20140401, 4, 0909					
008	04/01/14	HRG - HEARING RESULTS	+800.00	+800.00	+800.00
RMK: 0909, 4, V, , N, , , R= , I=					

CMD: _____ MSG: REMARKS ARE SUPPRESSED - PRESS PF6 TO DISPLAY

V

SCRN: CVPSSQV2

DEPT OF ENVIRONMENTAL PROTECTION

DATE: 3/22/17

TERM: 1668

VIOLATION INQUIRY (HISTORY) - PAGE 02 OF 02

TIME: 13:23:07

VIOLATION NO.: 035065040J

ROLL: 00000

IMAGE: 00000

SEQ	REC DATE	EVENT	AMOUNT	CHANGE	NEW BAL
009	04/16/14	PHA - REV PHASE ACTION	+0.00	+0.00	+800.00
RMK: C, , DU1					
010	04/23/14	PAY - PAYMENT MADE TO ECB	-800.00	-800.00	+0.00
RMK: 20140424P , , PAY, +0.00, +0.00, +0.00, +0.00, R= CPNY, I=03199					
011	06/05/14	PHA - REV PHASE ACTION	+0.00	+0.00	+0.00
RMK: C, , COM					

RMK:

RMK:

RMK:

RMK:

RMK:

CMD: _____

MSG: REMARKS ARE SUPPRESSED - PRESS PF6 TO DISPLAY

V



NOTICE OF VIOLATION AND HEARING

COMMISSIONER OF THE DEPARTMENT OF BUILDINGS
OF THE CITY OF NEW YORK, PETITIONER, AGAINSTViolation No. 35065040J
ENVIRONMENTAL CONTROL BOARD

Respondent	First name (or entity name) 111-115 Ditmas Avenue Realty		Last name	
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street 1518 50th St	City Brooklyn	State NY	Zip code 11219
Additional mailing to be sent (agent, care of, other):		License No. (if applicable)		
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.
115 Ditmas Ave	BK	11/11/13	C	NE	DG	02
Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation
TIL	3126606	1	5385	53	Eating/drinking	3461564

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 <input type="checkbox"/> Full <input checked="" 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	Provision of Law	Work without a permit work started in rear yard a brick wall in back East Side, wall approx 10x30' enclose rear yard. A wood box and brick barbecue pit.				
B201	BB-105.1					
Remedy: Obtain permit or restore premises to prior legal conditions.						
<input type="checkbox"/> 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.						
<input type="checkbox"/> Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.						
<input type="checkbox"/> Aggravated If 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 12/23/13	HEARING DATE 12/30/13 at 8:30 AM <input checked="" type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
If a date appears in the box above, you may have the option to <u>admit</u> 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 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 (or 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: <input 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 checked="" type="checkbox"/> Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl. <input type="checkbox"/> Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl. <input type="checkbox"/> 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)

GITTENS D

7123 ☐ ☐ ☐ ☐ ER

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.

Don Gittens

35065040J

ECB-PC (Rev. 5/13)

ORIGINAL - ECB COPY

Affidavit / Affirmation of Service

STATE OF NEW YORK, COUNTY OF Kings ss:

The undersigned affirms, or, being duly sworn, deposes and says: That I am over 18 years of age, and not a party to this proceeding, and that on the 11 day of NOV, 2013 at 10:30 a.m. p.m. (circle one) at 115 Ditmars Ave (full address)

I served the within Notice of Violation and Hearing on the respondent named therein:

Note: You must complete either section A or B or C. Section D must also be completed if service was effected through A1, A2, or B1.

A. INDIVIDUAL OR PARTNERSHIP

1. ☐ Individual or Partnership - Personal Service, by delivering and leaving a true copy with _____ respondent personally.
2. ☐ Individual or Partnership - Substituted Service, by delivering a true copy to _____ a person of suitable age and discretion at respondent's actual place of business, dwelling or usual place of abode within the state.
- ☐ Required Mailing (Use with 2). On ____/____/____ I enclosed a copy of same in a first class post paid envelope properly addressed to respondent's last known residence or actual place of business and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service. The envelope bore the legend "personal & confidential" and did not indicate on the outside thereof, by return address or other wise that the communication was from an attorney or concerned an action against the respondent.

B. CORPORATION

1. ☐ Corporation/LLC, by delivering and leaving a true copy with _____ an officer, director, managing agent, or general agent (circle one) of said respondent corporation, or any member of the LLC or person designated to receive service of process.
2. ☐ Secretary of State Service, by delivering to and leaving two copies with _____ in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York. Said service was made pursuant to article three of the Business Corporation Law. Deponent further says that s/he knew the person so served as aforesaid to be employed in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said respondent.

C. ALTERNATE METHOD/CHARTER SERVICE (Posting at place of occurrence)

- ☒ Alternate method of service pursuant to New York City Charter §1049-a(d)(2) [Affix and Mail Service]. I made the following reasonable but unsuccessful attempt to effectuate service upon respondent or upon any other person whom service may be made as follows: _____

A true copy of the notice of violation was posted at the following conspicuous place on the premises where the violation occurred: Posted on front entry door. owner or agent not

Additional Information: Present.

D. DESCRIPTION OF INDIVIDUAL SERVED (Complete for A1, A2, or B1)

Deponent further states that s/he describes the person actually served as follows:

GENDER	SKIN COLOR	HAIR COLOR	OTHER	AGE	HEIGHT	WEIGHT
<input type="checkbox"/> Male	<input type="checkbox"/> Black	<input type="checkbox"/> Black	<input type="checkbox"/> Balding	<input type="checkbox"/> 14-20 yrs.	<input type="checkbox"/> under 5'	<input type="checkbox"/> under 100 lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Brown	<input type="checkbox"/> Blond	<input type="checkbox"/> Mustache	<input type="checkbox"/> 21-35 yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 101-130 lbs.
	<input type="checkbox"/> White	<input type="checkbox"/> Brown	<input type="checkbox"/> Beard	<input type="checkbox"/> 36-50 yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 lbs.
		<input type="checkbox"/> Gray	<input type="checkbox"/> Glasses	<input type="checkbox"/> 51-65 yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 lbs.
		<input type="checkbox"/> Red		<input type="checkbox"/> Over 65 yrs.	<input type="checkbox"/> Over 6'0"	<input type="checkbox"/> Over 200 lbs.
		<input type="checkbox"/> White				

Other identifying characteristics _____

Served by: Signature <u>Don Citteris</u> Print full name <u>Don Citteris</u> <input checked="" type="checkbox"/> Issuing officer, City of New York This service statement is affirmed under penalty of perjury.	<input type="checkbox"/> Process Server (complete next box)	For process server SWORN TO BEFORE ME ON: ____ day of _____ Notary signature _____
---	--	---

Supervisor's Signature Don Citteris
(FOR OFFICE USE ONLY)



Environmental Control Board

A Division of the Office of Administrative Trials and Hearings

☐ 66 John Street
10th Floor
New York, NY 10038
Tel. # 212-560-6270
Fax #: 212-436-0715

☒ 9 Bond Street
7th Floor
Brooklyn, NY 11201
Tel. # 718-923-6100
Fax # 718-875-5561

☐ 144-06 94th Avenue
Main Floor
Jamaica, NY 11435
Tel. # 718-298-7300
Fax # 718-298-7075

☐ 350 St. Marks Place
Main Floor
S.I., NY 10301
Tel. # 718-815-8385
Fax # 718-815-8391

☐ 3030 Third Avenue
2nd Floor
Bronx, NY 10455
Tel. # 718-993-6110
Fax # 718-993-3077

REQUEST FOR A NEW HEARING DATE

Date: 12-27-13

Respondent: _____

(The Respondent is the person or business entity named on the front of the violation.)

Request submitted by: Betta Bernard

Relationship to Respondent: _____ Respondent
_____ Authorized Representative

Full Mailing Address: _____

Telephone Number: 718-554-1741

Violation number(s):

350650402

416

421

2013 DEC 27 PM 3:42

ECB

Reason for new hearing date request:

Conflict

FOR OFFICE USE ONLY (Do not write below this line)

Old hearing date: 12-30-13

New hearing date: 2-3-14

€ Respondent/Authorized Representative was informed that this is a final rescheduled. 10:30

€ Respondent/Authorized Representative was advised of the pre-hearing stipulation.

Request taken by: N. M. Keene



Environmental Control Board

A Division of the Office of Administrative Trials and Hearings

☐ 66 John Street
10th Floor
New York, NY 10038
Tel. # 212-560-6270
Fax #: 212-436-0715

☐ 9 Bond Street
7th Floor
Brooklyn, NY 11201
Tel. # 718-923-6100
Fax # 718-875-5561

☐ 144-06 94th Avenue
Main Floor
Jamaica, NY 11435
Tel. # 718-298-7300
Fax # 718-298-7075

☐ 350 St. Marks Place
Main Floor
S.I., NY 10301
Tel. # 718-815-8385
Fax # 718-815-8391

☐ 3030 Third Avenue
2nd Floor
Bronx, NY 10455
Tel. # 718-993-6110
Fax # 718-993-3077

REQUEST FOR A NEW HEARING DATE

Date: 2.3.14

Respondent: Telman Yusuf 115 DITHAS AVE BR. NY 1121
(The Respondent is the person or business entity named on the front of the violation.)

Request submitted by: Telman Yusuf

Relationship to Respondent: ☒ Respondent
☐ Authorized Representative

Full Mailing Address: 115 DITHAS AVE Brooklyn NY 11218

Telephone Number: _____

Violation number(s):
350 650 40 J NF
350 650 41 L NF
350 650 42 N

2014 FEB -3 AM 10:38
ECB

Reason for new hearing date request:

Filing of status is in process with Dep
of buildings

FOR OFFICE USE ONLY (Do not write below this line)

Old hearing date: 02/03/14

New hearing date: 03/31/14

€ Respondent/Authorized Representative was informed that this is a final rescheduled.

€ Respondent/Authorized Representative was advised of the pre-hearing stipulation.

Request taken by: J. Shallen

10:30 AM



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Brooklyn Office
9 Bond Street 7th Floor, Brooklyn, NY 11201
(844) 628-4692

NOTICE OF APPEARANCE

Summons Number(s): 035065040J
Respondent: 111-115 DITMAS AVENUE REALTY
Respondent/Representative: 111-115 DITMAS AVENUE REALTY
Decision Mail Address: 1518 50 STREET
BROOKLYN, NY 11219

Respondent/Representative Signature

(FOR OATH USE ONLY)

The aforementioned participant appeared before me on this 31st day of March 2014

- ☐ Hearing adjourned (You will have to return to OATH on a date in the future.)
☐ Decision reserved (The hearing is complete. You will receive a decision in the mail.)

Additional Comments: _____

James DeVito NYC2143 0909



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Brooklyn Office
9 Bond Street 7th Floor, Brooklyn, NY 11201
(844) 628-4692

NOTICE OF APPEARANCE

Summons Number(s): 035065040J
Respondent: 111-115 DITMAS AVENUE REALTY
Respondent/Representative: Cityscape
Decision Mail Address: 1400 Avenue Z
Brooklyn, NY 11235

Respondent/Representative Signature

(FOR OATH USE ONLY)

The aforementioned participant appeared before me on this 31st day of March 2014

- ☐ Hearing adjourned (You will have to return to OATH on a date in the future.)
☐ Decision reserved (The hearing is complete. You will receive a decision in the mail.)

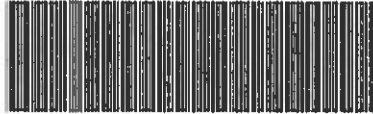
Additional Comments: _____

James DeVito NYC2143 0909



**THE CITY OF NEW YORK
ENVIRONMENTAL CONTROL BOARD**

HEARING LOCATION:
Environmental Control Board
9 Bond Street
7th Floor
Brooklyn, NY 11201
(718) 923-6100



123705221451E83F8D5

Method of Appearance
Live Hearing

DECISION AND ORDER
Violation #: 035065040J (1 NOV)
Hearing Date: March 31, 2014

To: Cityscape
1400 Avenue Z
Brooklyn, NY 11235

City of New York v. 111-115 DITMAS
AVENUE REALTY

Total Civil Penalty: \$800.00

I Notice(s) of Violation (NOV(s)) was/were issued to the Respondent. On the record before me, and upon the Further Findings of Fact/Conclusions of Law stated below, I find as follows and, where applicable, order payment and compliance.

NOV: 035065040J

PLACE OF OCCURRENCE: 115 DITMAS AVENUE BROOKLYN

DATE OF OCCURRENCE: 11/11/2013

ISSUING OFFICER/AGENCY: 0723 DOB

ECB CODE: B201

CHARGE: AC 28-105.1

DISPOSITION: IN VIOLATION

CIVIL PENALTY IMPOSED:

\$800.00

FURTHER FINDINGS OF FACT/CONCLUSIONS OF LAW:

NOV: 035065040J AC 28-105.1

The respondent, 111-115 Ditmas Avenue Realty, is charged with performing work without a permit. The respondent's expeditor, Ivette Bernard appeared and testified on behalf of the respondent. Ms. Bernard testified that the respondent has authorized her to appear and testify in its behalf. Mr. Anthony Forzaglia, Esq., appeared on behalf of the DOB.


Ms. Bernard testified that the respondent is in the process of getting their plans approved.

While I credit the respondent's testimony, the respondent has not offered a valid defense.

The violating conditions observed as specified has established a class two violation hazardous, posing a threat that affects the life, health, safety, property, or the public interest so as to warrant corrective action.

Accordingly, the NOV is sustained and the board approved penalty is imposed for a class two violation.

TOTAL CIVIL PENALTY: \$800.00

		
Tue Apr 2014 04/01/14 14:19:16	Control 5	04/01/2014
James DeVito, Administrative Law Judge		Date

**PAYMENT DUE WITHIN TEN (10) DAYS
READ BACK OF THIS ORDER – PROTECT YOUR RIGHTS**

Leave Feedback
 (mailto:CPRSResearchToolFeedback%
 40finance.nyc.gov?Subject=Feedback%20For%
 20Research%20Tool)

CityPay Research - Transactions

At this time, only 500 line items per inquiry are returned (a transaction may have more). Totals shown will be based on the items returned.

[Back to search \(/citypayreports/wizard\)](/citypayreports/wizard)

[Export \(/citypayreports/batch/export\)](/citypayreports/batch/export)

Show ☐ 10 ☒ entries

Search:

Receipt Number	Payer Name	Transaction Date / Time	Agency System	Channel	Payment Status	Line Item #
WWW28303199	Telman G Yusufov	04/23/2014 01:32:13 PM	AIMS	AIMS	PAID	3

Showing 1 to 1 of 1 entries

Previous

1

Next

Transaction Information

[Printer Friendly View \(/citypayreports/nice/WWW28303199\)](/citypayreports/nice/WWW28303199)

Agency Name New York City Environmental Control Board

Receipt Number WWW28303199

Agency System AIMS

Channel Information AIMS/NYCServ/NYCWEB

Transaction Date / Time 04/23/2014 01:32:13 PM

Payer Email [REDACTED]

Payer Full Name Telman G Yusufov

Address 535 Ocean Pkwy 5 K

City Brooklyn

State NY

Zip 11218

Country N/A

Payment Tender ACHDR

Total Amount \$1,602.00

Card Type N/A

Service Fee Y

First/Last 4 Digits of Account [REDACTED]

Payment Status PAID

CityPay Reports

Line Item Details

Line Item Number

WWW28303199-1

Transaction Description

Service Fee

Payer Full Name

Telman G Yusufov

Payment Amount

\$2.00

Credit Card Auth Code

N/A

Violation Number

N/A

FMS Information ⓘ

CPRR Information ⓘ

Line Item Number

WWW28303199-2

Transaction Description

Buildings Fines

Payer Full Name

Telman G Yusufov

Payment Amount

\$800.00

Credit Card Auth Code

N/A

Violation Number

N/A

FMS Information ⓘ

CPRR Information ⓘ

Depart of Finance

Online Payments

TRANSACTIONS

Receipt Number:
WWW28303199

Transaction Total: \$1,602.00

Description: Service Fee
Item Code: 9808
Trans Code: 1110

Payment Amount: \$2.00

Description: Buildings Fines
Item Code: 895
Trans Code: 1110

Payment Amount: \$800.00

Description: Buildings Fines
Item Code: 895
Trans Code: 1110

Payment Amount: \$800.00