

The respondent Brooklyn Builders was issued three summonses.

Summons # 039545497H was issued for a violation of section Misc. BC Chapter 33; Miscellaneous violations. At time of inspection, the fence at ground level along exposure 3 was not maintained, in violation of BC 3307.7. This creates a safety hazard as the public can gain access to the construction site. Maintain fencing in accordance with code requirements.

Summons # 039545498J was issued for a violation of section 28-105.12.2; Work does not conform to approved construction documents and/or approved amendments in a manufacturing district for residential use. At time of inspection, construction documents were reviewed. At exposure 3, the window well at the basement/ground-level opening did not match the approved plans. The plans show no opening at this location, but an opening approximately 4 feet deep was present at time of inspection.

Summons # 039545499L was issued for a violation of section Misc. Chapter 33; Miscellaneous violations. At time of inspection, observed that the existing chimney serving the adjacent building was not raised or modified to comply with the height requirements after the vertical enlargement of the structure. The owner of the new/altered building failed to alter or extend the chimney as required by Provision of Law 2113.6.1.

Attorney Frank Tamborino appeared for the respondent.

Taylor Barje appeared for the Petitioner, DOB.

With respect to summons # 97H, the respondent stated that there is an incorrect infraction code on the summons.

The Petitioner moved to amend the infraction code to B211.

The Petitioner's motion is granted.

The summons is credited.

The respondent did not rebut the charge or provide a legally valid or meritorious defense.

Accordingly, the summons is sustained and a standard penalty in the amount of \$1,000.00 is imposed.

With respect to summons # 98J, the respondent stated that the infraction code was incorrect.

The Petitioner moved to amend the infraction code to B282.

The Petitioner's motion is granted.

The Petitioner confirmed timely correction and recommended a mitigated penalty.

The summons is credited.

The respondent did not rebut the charge or provide a legally valid or meritorious defense.

Although I find that the violative condition was timely corrected, post violation corrections are not a legally valid defense.

Accordingly, the summons is sustained and a mitigated penalty in the amount of \$625.00 is imposed.

With respect to summons # 99L, the respondent stated that the summons does not cite the applicable provision of law; it is not appropriate for what is described in the violation.

The Petitioner moved to amend the charge to section 2113.5.1, with an infraction code of B206.

The Petitioner's motion is granted.

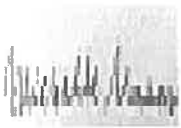
The Petitioner confirms timely correction and recommended a mitigated penalty.

The summons is credited.

The respondent did not rebut the charge or provide a legally valid or meritorious defense.

Although I find that the violative condition was timely corrected, post violation corrections are not a legally valid defense.

Accordingly, the summons is sustained and a mitigated penalty in the amount of \$625.00 is imposed.

 06/17/2026	06/17/2026
Michelle Mason, Hearing Officer	Date