



# OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

## Decision

Caroline Kane, Esq. - Nacmias Law Firm, PLLC  
592 Pacific Street, 1st Floor  
Brooklyn, NY 11217

Summons#: 035674496L et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

KE JU CONTRACTING CORP

Hearing Date : 10/18/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 2,500.00

Community Service(Hr): Not Applicable

| SUMMONS #  | SUMMARY<br>DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE                  |
|------------|------------------------|--------------------|--------------------------------------|
| 035674496L | Sustained              | 10/20/2023         | 164 East 111th Street ,<br>Manhattan |

| LINE ITEM | OATH CODE | CODE SECTION / RULE   | RESULT    | PENALTY  |
|-----------|-----------|-----------------------|-----------|----------|
| 1         | B106      | AC 27MISCAC28MISCBCMI | Sustained | 2,500.00 |

Total Penalty for Summons: 2,500.00

### Findings of Facts & Conclusions of Law

The sworn-to-summons alleges a class 1 violation of Building Code (BC) § 3305.3.6.1.2 for failure to secure re-shores

Attorney, Caroline Kane, for Respondent, Keju Contraction Corp, was present. Henrietta Baidoo appeared on behalf of the petitioner, NYC Department of Buildings (DOB). Issuing officer, Inspector Martin, was present.

Petitioner's representative relied on the sworn-to-summons, photographs taken at the time and place of occurrence, and the issuing officer's testimony.

Inspector Martin confirmed he is the issuing officer who issued the violation, the photographs were taken at the time and place of occurrence and provided testimony regarding his observations. Inspector Martin testified the shores were not secured to the building when he conducted his inspection. The shores must be strapped or affixed to the roof to prevent the shore from coming loose. This is immediately hazardous as a worker can fall from the 8 story building, causing serious injury or death.

Respondent's representative requested Petitioner lower the class. Petitioner's representative denied Respondent's request arguing the observed conditions are immediately hazardous which can result in serious injury or death.

I credit the sworn-to-summons. I find that the summons as alleged is legally sufficient to establish the violation charged. I find that the Respondent did not present a valid legal defense. Respondent failed to provide credible evidence to rebut the allegations. Accordingly, the summons is sustained, and a \$2,500.00 violation penalty is imposed.



10/24/2024

10/24/2024

Paul Mendez, Hearing Officer

Date