



SUMMONS NUMBER:

039159250K

SUMMONS AND COMMISSIONER'S ORDER • CIVIL PENALTIES APPLY
ENFORCEMENT AGENCY: NYC DEPT OF BUILDINGSAGENCY ADDRESS AND WEBSITE: 280 Broadway, New York, NY 10007 www.nyc.gov/buildings

RESPONDENT: RUSSO, AS TRUSTEE, JOSEPH

(FIRST NAME/ENTITY, LAST)

MAILING ADDRESS: 25 NEW CHARDON ST. BOSTON, MA 02114-4774

DOB LICENSE/REGISTRATION#:

CELL PHONE: N/A

DATE OF OCCURRENCE: 09/04/2025

TIME OBSERVED: 03:10 PM

BOROUGH: Brooklyn

PLACE OF OCCURRENCE: 316 ECKFORD STREET

BLOCK: 02576 LOT: 00046 BIN: 3065222

You must appear or respond to the details of violation(s) below. For HOW TO RESPOND, see next page.

HEARING DATE: 11/12/2025 AT: 08:30 AM

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS: Brooklyn (See locations on next page)
REFER TO THE SUMMONS NUMBER ABOVE ON ALL CORRESPONDENCE.

WARNING: If you do not appear or respond to this Summons, the City will decide the Summons against you and impose penalties. Failure to pay a civil penalty could lead to the denial of an application for, or the suspension, termination or revocation of a City license, permit or registration. In addition, the City may enter a judgment against you in court.

COMMISSIONER'S ORDER TO CORRECT VIOLATING CONDITION(S) AND CERTIFY CORRECTION

CURE DATE (Zero Penalty Option, if available): 11/03/2025

Must Appear: ☐ (If disputing the charge)

Type of Construction: III

No. of Stories: 4

Related Job#: N/A

Occupancy at Time of Inspection: 1 FAMILY DWELLING

Basis of Violation: 3A26679

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

Violating Conditions Observed

Infraction Code	Class	Provision of Law	Standard Penalty	Maximum Penalty
B201	Class 2	28-105.1	\$1,250	\$6,250
<input type="checkbox"/> Recurring Condition Aggravated I per 1RCNY 102-01(f)	<input type="checkbox"/> Aggravated II Condition per 1 RCNY 102-01(f)	<input type="checkbox"/> ILLEGAL CONVERSION— CLASS 1 Per 28-202.1 & 1 RCNY 102-01 additional daily penalties for continued violation of Article 210 of Title 28 also applicable	<input type="checkbox"/> Per 28-202.1 & 1 RCNY 102-01, additional Class 1 daily or Class 2 monthly penalty may apply.	<input checked="" type="checkbox"/> Stop Work Order Issued: Partial <input type="checkbox"/> Vacate Order Issued: Vacate#:

Violation Detail(s): ATOI OBSERVED CONSTRUCTION IS IN PROGRESS AT THE REAR OF THE PROPERTY EXPOSURE 4. FENCE HEIGHT EXCEEDS ALLOWABLE LIMIT 8'. FENCE IS RESTING ON A 2 FEET KNEE WALL. THIS WORK REQUIRES PERMIT. NO PERMIT FILED FOR THE SCOPE OF WORK WITH THE DEPARTMENT.

Remedy: Obtain all permits;

THE COMMISSIONER ORDERS THAT YOU TIMELY CORRECT THESE CONDITIONS AND FILE A CERTIFICATE OF SUCH CORRECTION. See 1RCNY 102-01 and the instructions on certifying correction. Uncorrected violations are subject to additional violations and penalties. For certain charges, additional DOB civil penalties may apply pursuant to sections 28-213.1, 28-219.1 and 28-207.2.6 of the Administrative Code. A property owner may be liable for payment of these additional civil penalties even if not cited as respondent on this summons.

NYC Charter Sections 1048 and 1049-a and the Rules of the City of New York authorize the NYC Office of Administrative Trials and Hearings (OATH) to hold hearings. **For hearing options, see other side of this notice.**

I, an employee of the Department of Buildings, affirm under penalty of perjury that I personally observed the commission of the violation(s) charged above and/or verified their existence through a review of departmental records. False statements made herein are punishable as a Class A Misdemeanor pursuant to section 210.45 of the Penal Law.

Issuing Officer: G Lazaro

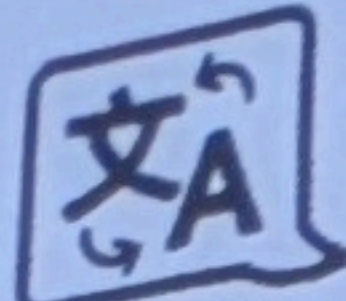
Signature: Electronically Signed by G Lazaro
09/04/2025 03:27 PM

Badge#: 3700

Unit Code: SI

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Need help in your language? Visit nyc.gov/oath or call 844-628-4692 for free assistance. If you have a disability and require a reasonable accommodation for the hearing, call 1-844-628-4692.

WHAT IS THIS CIVIL SUMMONS?

The enforcement agency on the front of the summons has charged you with the violation listed. You **must** respond to the summons. You can respond in one of three ways.

HOW DO I RESPOND?


1) DENY: You can deny the charge at a hearing at the independent Office of Administrative Trials and Hearings (OATH) using the following options:

By Phone: Request a phone hearing 3 business days before the hearing date listed on the other side of this page. To request and schedule go to nyc.gov/oathphone

In Person: Request an in person hearing 5 business days before the hearing date listed on the other side of this page. To request and schedule email livehearings@oath.nyc.gov. You will receive an email with hearing date, time and location information.

Online: Visit OATH online to see if your defense can be submitted in writing, without a hearing. Visit nyc.gov/hearings

If the charge on the front of the summons states you **MUST APPEAR**, then you or an authorized representative must attend the hearing by phone or in person.

 To help avoid missing your hearing you can receive text message reminders about your case. To opt-in text "OATHreminder" to (917) 451-8829.

2) ADMIT AND CERTIFY CORRECTION: You can admit and pay the penalty if the front of this summons shows a "Mail-in Penalty" using the following payment options. You then must follow the directions below to submit your Certificate of Correction.

Online: Visit nyc.gov/citypay/oath

Mail: Make the check or money order payable to "Finance Commissioner" in the amount shown on the Mail-in Penalty line. Write the summons number on the check or money order. No less than 10 days before the hearing date on this summons, mail a copy of this summons and the check or money order to: Finance Commissioner, City of New York, PO Box 2307, Peck Slip Station, New York NY 10272.

In Person: Bring this summons on or before the hearing date to any OATH Hearings Center between 8:00 AM and 3:30 PM. Cash not accepted.

Manhattan: 66 John St., 10th floor, New York, NY 10038

Brooklyn: 9 Bond St., 7th floor, Brooklyn, NY 11201

Bronx: 260 E. 161 St., 6th floor, Bronx, NY 10451

Queens: 31-00 47th Ave., 3rd & 4th floors, Long Island City, NY 11101

Staten Island: 350 St. Marks Pl., Staten Island, NY 10301

PENALTY WAIVERS AND REDUCTIONS: If the violation is admitted and certified as corrected, it may be eligible for a penalty waiver or reduction.

For information on penalty waivers and reductions consult DOB's website at: www.nyc.gov/DOBpenaltyschedule. There are three ways the penalty can be waived or reduced:

- **Cure (waiver):** If the front of this summons states a *Cure Date*, submit an acceptable Certificate of Correction to DOB by the Cure Date. If the Certificate of Correction is approved, a hearing will not be held, and no penalty will be imposed by OATH. Instead, the penalty will be waived.
- **Stipulation (reduction):** If you receive and accept a pre-hearing stipulation offer, you may receive a reduced penalty of one-half the standard penalty if an acceptable Certificate of Correction is submitted to DOB by the compliance due date. If the Certificate of Correction is not approved, the penalty will be increased to the standard or aggravated penalty, whichever is applicable.
- **Mitigation (reduction):** A reduced penalty may be granted by the OATH Hearing Officer if it is demonstrated (during a hearing) that the violation was corrected by the first scheduled hearing date.

GET HELP FROM DOB: Forms, the summons in your language, and additional information may be found on DOB's website at www.nyc.gov/aeu. You may also contact AEU by phone at (212) 393-2405 or by submitting an inquiry at www.nyc.gov/dobhelp.

GET HELP FROM OATH: If you do not have a lawyer or a representative, you can schedule a free consultation with the OATH Help Center before your hearing date. Go to nyc.gov/oath/helpcenter

Warning: If you do not pay the penalty or present a defense, a default judgment may be entered against you and additional penalties may be imposed. If the Environmental Control Board or the Office of Administrative Trials and Hearings orders you to pay a civil penalty, failure to pay that penalty in a timely manner could lead to the denial of an application for a license, permit or registration, or to the suspension, termination or revocation of a license, permit or registration issued to you by a city agency.

You have the right to be informed of the maximum penalty. Higher penalties may be imposed for each repeated violation up to the maximum penalty allowed by law or regulation.

Unless the summons is dismissed after an OATH hearing, each summons contains two DOB Commissioners Orders and BOTH must be completed: (1) An order to correct the violating condition(s) at the premise or construction site; and (2) An order to file an acceptable Certificate of Correction.

Class 1 summonses must be corrected immediately and may be re-inspected every 60 days. If an acceptable Certificate of Correction is not received, Administrative Code section 28-219.1 states additional penalties of \$3,000 may be imposed for each Class 1 summons issued at a construction site. In addition, acceptance of a Certificate of Correction may also require payment of additional DOB civil penalties pursuant to 28-213.1, 28-207.2.6 and 28-219.1.

To submit a Certificate of Correction: Complete the necessary forms and pay any applicable DOB Civil penalties. Upload Certificate of Correction documents by using an eFiling account to log into DOB NOW at www.nyc.gov/dobnow and select the BIS Options portal. If you need to create an eFiling account, visit www.nyc.gov/dobnowtips.



QUICK LINKS TO NEXT STEPS:

Scan this QR Code to go directly to the OATH website to deny the charge, request to reschedule, pay, get info, and more.