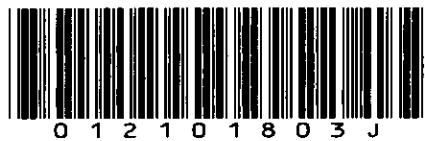




FDNY SUMMONS • FOR CIVIL PENALTIES ONLY



SUMMONS NUMBER: 012101803J

ENFORCEMENT AGENCY NAME: NEW YORK CITY FIRE DEPARTMENT

DIVISION: FP Unit: Admin CO: 10-35

AGENCY ADDRESS AND PHONE NUMBER: 9 MetroTech Center, 1st Flr, Bklyn, NY 11201-3657, (718) 999-2392

RESPONDENT: THE BOARD OF MANAGERS OF 534 WEST 42ND STREET
CONDOMINIUM

DBA:

MAILING ADDRESS: 534 W 42 ST
MANHATTAN, NY

ACCOUNT NUMBER:

UNIT PHONE NUMBER: (718) 999-0749

CELL PHONE:

DATE OF OCCURRENCE: 05/15/2020

TIME OF INSPECTION: 06:20 AM

PLACE OF OCCURRENCE: 534 W 42 ST
MANHATTAN, NY

You must respond to this Summons. You can appear at the hearing date and location below or choose another option. For other options on how to respond, see the important information page.

HEARING DATE: 11/25/2020 **AT:** 08:30 AM

HEARING LOCATION: OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

66 John Street, 10th Floor, MANHATTAN Phone: (844) 628-4692

REFER TO THE SUMMONS NUMBER ABOVE ON ALL CORRESPONDENCE.

WARNING: If you do not respond to this summons, the City will decide the Summons against you and penalties will be imposed. 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.

ORDER TO CORRECT AND CERTIFY CORRECTION: PLEASE TAKE NOTICE that the premises cited above is in violation of the requirements of law. It is further ORDERED by the FIRE COMMISSIONER that these violations be corrected and certified to be in compliance with the requirements of law within 35 days of the date of issuance. See the important information page for further instructions.

COMPLIANCE DATE: 11/10/2020

Details of Violation(s)

Upon investigation, the New York City Fire Department has determined that the respondent is in violation of the following requirements of the New York City Administrative Code and/or rules of the City of New York. These requirements have been grouped into violation categories (VC) for enforcement purposes. This grouping is allowed by Fire Department rule 3 RCNY § 109-02

VC 12 Fire Protection Systems – Failed to provide and/or maintain required fire protection system and/or prevent unnecessary/unwarranted alarms.

Date	Time	Type Of Violation
04/06/2020	12:16 AM	Alarm System Unwarranted Alarm
05/15/2020	06:20 AM	Alarm System Unwarranted Alarm

Description of violation: Failure to prevent unnecessary and/or unwarranted alarm(s) in violation of 3 RCNY 907-01.

Remedy: Maintain/repair Fire Alarm System in accordance with FC 901.6 and/or correct/repair condition that caused unnecessary and/or unwarranted alarm(s). Submit documentation detailing cause of alarm(s) and corrective measures taken.

Maximum penalty for each First Offense: \$1,000.

Maximum penalty for each Repeat Violation: \$5,000.

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

I, an employee of the agency named above, 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.

Signature:  **Print Name/ID:** RONALD LIPARI / 0367552 **Title:** LIEUTENANT

012101803J



0 1 2 1 0 1 8 0 3 J

CERTIFICATE OF CORRECTION

STATE OF NEW YORK

)

) SS.:

COUNTY OF _____

)

I _____, being duly sworn, depose and say that I am the named respondent cited in the Summons or an authorized representative for the respondent. I admit the existence of the violation(s) described in the Summons.

Check one {

I have corrected all said violations as ordered by the Commissioner
or
 I have only corrected the following violation(s) _____
and will attend hearing on the scheduled date.

(The respondent certifies that all violations have been corrected if no box is checked.)

The corrective action(s) was performed by _____

I have attached legible copies of any and all bills, receipts and other proofs of correction to this certification as required.

Signature
(Sign only before a notary)

TO BE COMPLETED BY NOTARY

SEAL

County of _____

Registration Number _____

Sworn to before me this _____ day of _____ 20 ____ Notary Number _____

Signature of Notary _____ Commission Expires _____

The Fire Commissioner reserves the right to reject any Certificate of Correction that is incomplete. False certification is punishable by a fine of not less than \$1,000 nor more than \$5,000 and/or up to 6 months imprisonment pursuant to Administrative Code Section 15-220.1.

CERTIFICATION INSTRUCTIONS

For first offenses:

1. All respondents must correct the violation(s) cited on the Summons.
2. To certify correction of a violation, a respondent must complete the Certificate of Correction above and have it notarized. Attach this page to a copy of the Summons.
3. Attach legible copies of any and all bills, receipts and/or other proof of compliance to the Certificate of Correction and submit them along with this Certificate of Correction.
4. Return the complete Certificate of Correction, with all appropriate documentation, to the **Bureau of Legal Affairs, Administrative Enforcement Unit, 9 MetroTech Center, 1st Floor, Brooklyn, New York 11201-3857** on or before the compliance date specified on the FDNY Summons.
5. Respondents will be notified by mail if their Certificate of Correction has been disapproved and of the appropriate action to take to correct the Summons.
6. If it is impossible to correct any or all violations within the time indicated, you may be eligible for a stipulation extending the time to correct. A request for a stipulation extending compliance time must be made at the hearing and is subject to the approval of the Fire Department and OATH.
7. If you properly certify that all violations have been corrected, and the Certificate of Correction is accepted by the Fire Department, you will be excused from appearing at the scheduled OATH hearing and no penalty will be imposed.
8. If you fail to comply with 7 above, or if you are a repeat offender, you will be required to attend an OATH hearing on the date specified on the Summons and bring any and all proof of correction to the hearing.

IMPORTANT INFORMATION

The Fire Department has alleged that you committed the described violation or violations. You must respond to this summons. **If you do not respond to this summons, a default judgment may be entered against you and additional penalties may be imposed.**

Note: You or an authorized representative must respond to this summons. (See below for "HOW TO RESPOND"). In some cases, the Fire Department may offer you the chance to enter into a stipulation or settlement agreement. If you are eligible, the Fire Department will offer you the chance to enter into a stipulation at the hearing. If you are found in violation after a hearing, you must also file a Certificate of Correction with the Fire Department.

HOW TO RESPOND

To admit the charge and certify correction: If the front of this Summons states a "Compliance Date," you have the option to admit the violation and certify correction to the Fire Department. FOR FIRST OFFENDERS, TO AVOID A HEARING AND PENALTY, your completed Certificate of Correction form, including proof of correction, MUST BE RECEIVED AND APPROVED by Fire Department's Bureau of Legal Affairs, Administrative Enforcement Unit, 9 MetroTech Center, 1st Floor, Brooklyn, NY 11201-3827 on or before the "Compliance Date" listed on the front of this Summons. Note: If the Fire Department does not inform you that it has approved your submission before the "Hearing Date," and excused you from appearing at a hearing, you MUST ATTEND your hearing. **Also, even if compliance is shown at a hearing, you are required to send a Certificate of Correction and all proof of correction to the Fire Department.** If you have any questions about your Certificate of Correction, you may call the Fire Department at (718) 999-2392.

If you do not admit the charge and certify correction, the independent NYC Office of Administrative Trials and Hearings will hear and decide your case. See the front of this Summons for the date, time and borough of your hearing.

For some cases, you may deny the charge and present a defense online, by phone or by mail.

- **Online:** To submit a defense online, visit www.nyc.gov/oath.
- **Phone:** To schedule a hearing by phone, call (212) 436-0777.
- **Mail:** To submit a defense by mail, send a signed statement of facts that must say "My signature in this statement certifies that all facts in it are true", with all documents you wish to have considered to: **OATH Mail Unit, 66 John Street, 9th Floor, New York, NY 10038**

To deny the charge and present a defense in person:

- You or an authorized representative may appear in person on the hearing date at the time and borough shown on this notice. See below or call 1-844-628-4692 for borough addresses.
- Please be fully prepared and bring this paper and all paperwork and other evidence you want to use to defend yourself with you.
- If you need help with English, free language help will be provided.
- **Reasonable Accommodation:** If you have a disability and require a reasonable accommodation for the hearing, call 1-844-628-4692.

Note: YOU HAVE THE RIGHT TO BE INFORMED OF THE MAXIMUM PENALTY. If no maximum penalty is shown on the front of this Summons, inquire in person at any location below or call 1-844-628-4692 for more information. Higher penalties may be imposed for each repeated violation up to the maximum penalty allowed by law or regulation.

Until further notice, hearings will be by phone or online. Visit **NYC.GOV/OATH** before the hearing date to schedule your phone hearing or learn about online options. If you cannot participate in a telephone or online hearing, email Livehearings@oath.nyc.gov to request an in-person hearing.

OATH HEARINGS CENTERS

Tel: 1-844-OATH-NYC (1-844-628-4692)

www.nyc.gov/oath

<input type="checkbox"/> Manhattan: 66 John Street, 10 th Floor, New York, NY 10038	<input type="checkbox"/> Brooklyn: 9 Bond Street, 7 th Floor, Brooklyn, NY 11201
<input type="checkbox"/> Queens: 31-00 47 th Avenue, 3 rd & 4 th Floor, Long Island City, NY 11101	<input type="checkbox"/> Bronx: 260 E. 161 Street, 6 th Floor, Bronx, NY 10451
<input type="checkbox"/> Staten Island: 350 St. Mark's Place, Staten Island, NY 10301	