

NYC FIRE DEPARTMENT
9 METROTECH CENTER
ENFORCEMENT - ROOM 3S-73K
BROOKLYN, NY 11201-3857

FF00188



Mailing date: 10/30/2024
Respondent: THE DEUCE CONDOMINIUM
Summons #: 014148662X
Installation: 424981900



OWNER/AGENT
534 W 42ND ST
NEW YORK NY 10036-6219

1/347



FIRE DEPARTMENT OF NYC (PETITIONER)

v

THE DEUCE CONDOMINIUM (RESPONDENT)

Hearing Date: 11/13/2024 Time: 08:30 A.M. Location: 66 JOHN STREET FLOOR 10 MANHATTAN

Place of occurrence: 534 WEST 42 STREET MANHATTAN
Observation made by: 1417860

Date of violation: 09/26/24

Please take notice that the premises cited above is in violation of the requirements of law. It is 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 violation date. Certification must be made on the Certificate of Correction, a copy of which is enclosed.

The Certificate of Correction and all proof of compliance must be received by the Bureau of Fire Prevention, Enforcement Unit, 9 Metrotech Center, Brooklyn, New York, 11201-3857, (718) 999-2392, by no later than 35 days from the violation date above. First offenders who properly certify correction shall avoid a hearing and penalty. All other respondents must appear at the OATH Hearings Division, at the location date and time indicated above. The hearing is your opportunity to answer the violations listed in this summons. Repeat offenders must appear at the hearing on the scheduled date.

VIOLATION(S) OF THE ADMINISTRATIVE CODE OR RULES AND REGULATIONS

3 RCNY 109-02:	Description	Maximum Penalty
VC20.	INSPECTION AND TESTING	\$1000.00

PROTECT YOUR RIGHTS: READ THIS INFORMATION
YOU ARE REQUIRED TO RESPOND TO THIS SUMMONS

- **CORRECTION OF VIOLATION(S):** You may respond to this summons by correcting all of the violation(s) and submitting a certificate of correction to the Fire Department. The certificate of correction is attached. Make sure to follow the instructions. If the Fire Department does not notify you prior to your hearing date that your certificate has been accepted, you must attend your hearing.
- **OATH HEARING:** If you do not:
 - submit a certificate of correction to the Fire Department within the specified time period or
 - your certificate of correction is rejected or
 - you have not received notice that your certificate of correction was accepted or
 - if at least one of the offense(s) listed on the other side of this summons is a repeat offense.

you must appear before the OATH Hearings Division. You may appear at the scheduled hearing either in person or by an attorney or other authorized representative (who need not be an attorney). You should come fully prepared for the hearing. You have the right to bring witnesses and other evidence, including evidence of action taken to correct any violation.

If you fail to submit a certificate of correction within the time period indicated and if the certificate of correction has not been approved by the Fire Department and you fail to appear for the scheduled hearing, a default order will be issued including penalties up to the maximum permitted by law.

- **REMEDIAL ACTION:** Because severe penalties can be imposed for the continuation of the violation, you should immediately correct all conditions that led to the summons. Correcting conditions after a summons has been issued may be considered in mitigating the amount of the penalty.
- **ORIGINAL SUMMONS:** The Fire Department has already served the summons by posting or delivering it at the violation location. The original summons is on file with the Fire Department. A copy of the original summons may be obtained from the Public Records Unit at Fire Department Headquarters, 9 MetroTech Center, Brooklyn, NY 11201-3857.

Summons _____
(to be completed by Respondent)

CERTIFICATE OF CORRECTION

STATE OF NEW YORK)
vs.)
COUNTY OF)

I, _____, being duly sworn, depose and say that I am the respondent cited in the summons and that I admit the existence of the violation(s) described in the summons.

- ☐ I have corrected all said violations as ordered by the Commissioner
- or -
- ☐ I have only corrected Rules Number(s) _____ and will attend the hearing on the scheduled date

(The respondent certifies that all violations have been corrected if the circle is checked.)

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

(Sign only before a Notary)

TO BE COMPLETED BY A NOTARY

County of _____

SEAL

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

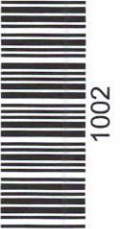
Signature of Notary _____ Commission Expires _____

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 offenders must correct the violation(s) cited on the summons.
2. All offenders 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 proofs of compliance to this Certificate of Correction and submit them along with this Certificate.
4. Return the completed Certificate of Correction with all appropriate documentation attached to the Bureau of Fire Prevention, Enforcement Unit, 9 MetroTech Center, Brooklyn, NY 11201-3857 by the close of business on the CURE date indicated on the front of this 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 are excused from appearing at the scheduled OATH Hearings Division hearing and no penalty will be imposed.
8. If you fail to comply with (7) above or if you are a repeat offender, you are required to attend the OATH hearing on the location designated on the summons and bring any and all proof of correction to the hearing.





OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Hearings Division
66 John St., 10th Floor
New York, NY 10038

To Whom It May Concern:

You are receiving this letter because you have a scheduled hearing at the NYC Office of Administrative Trials and Hearings ("OATH"). All appearances before the OATH Hearings Division are currently being conducted by telephone, except where a party requests and is approved for an in-person appearance. To schedule a date and time to have a Hearing by Phone, which allows you to speak to an OATH Hearing Officer over the phone and email your evidence to the Hearing Officer, you **must** contact OATH three (3) business days **before** your upcoming hearing date.

To participate in a hearing by telephone, you **must** email the OATH location where your hearing is currently scheduled to take place:

Brooklyn cases: RemoteBKLYN@oath.nyc.gov
Bronx cases: RemoteBronx@oath.nyc.gov
Manhattan cases: RemoteManhattan@oath.nyc.gov
Queens cases: RemoteLIC@oath.nyc.gov
Staten Island cases: RemoteSI@oath.nyc.gov

In your email, you **must** include the following four (4) pieces of information:

- All summons numbers for the summonses you want to have a Hearing by Phone;
- Respondent's name, as it appears on the summons(es); and
- If you are not the respondent named on the summons, tell us your relationship to the respondent.
- A valid phone number where you can be contacted to schedule your Hearing by Phone.

If you would like to have your **hearing in person**, you must request an in person hearing by emailing LiveHearings@oath.nyc.gov five (5) business days before the hearing date.

To reschedule your hearing, if eligible, you can email the Clerk's Office at clerksoffice@oath.nyc.gov for instructions. The best way to make your reschedule request, however, is to contact the Clerk's Office using OATH's **Online Reschedule form**. An online request to reschedule your case ensures that you get a date-stamped, electronic confirmation of your request. The online Reschedule form can be found in the "Clerk's Office" section of the OATH website at nyc.gov/oath.

Get text message reminders about your hearing: Text **OATHreminder** to (917) 451-8829
Administrative Trials and Hearings (OATH), City of New York

Before your hearing date, visit www.nyc.gov/oath to check the most up-to-date rules on in-person and telephonic hearings.