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YONKERS
LOGO
HERE

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YONKERS, NEW YORK 10701
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**DEPARTMENT OF HOUSING AND BUILDINGS
CITY OF YONKERS**

NOTICE OF VIOLATION

February 6, 1999

**Hudson River Management
& Dan Tomaino, Property Manager
1053 Saw Mill River Road
Ardsley, NY 10502**

**RE: 1161 North Broadway aka
1 David Lane
Block 3515, Lot 220
Zone "S-100"
OF FAMILIES: 154**

Dear Mr. Tomaino:

You are hereby notified that the above captioned premises owned or controlled by you, is in violation of the following section(s) of the New York Uniform Fire Prevention and Building Code, or Yonkers Housing and Building Maintenance Code, or both:

Apartment 8T (Peter Merson)

1. Mechanical ventilation system (roof fans) for bathroom in above apartment and numerous other apartments throughout entire building are not working (9NYCRR 1245.1e)

1245.1. Responsibility – The owner, operator, or agent in control of the building shall be responsible for the following:

e. Maintenance of plumbing, heating, and electrical equipment and systems, appliances, fixtures, as well as other building equipment and facilities, in an appropriate, good operative, clean and sanitary condition.

NOTE: CORRECTION OF ALL VIOLATIONS MUST COMMENCE IMMEDIATELY.

NOTICE OF HEARING

A hearing is scheduled regarding this notice of violation on February 24, 1999 at 9:30 a.m. at the office of the Yonkers Department of Buildings, 87 Nepperhan Avenue, Yonkers, NY 10701. If, after inspection the Department determines the violations have been corrected, enforcement by the City will be terminated.

Alternatively, you may contest the notice of Violation, request additional time for compliance, or raise other matters arising from the notice of violation at the scheduled hearing.

If you fail to attend the scheduled hearing, you automatically waive your right to a hearing and you automatically accept this notice of violation to be valid, binding, lawful and non-appealable enforcement order of the Department of Buildings.

Failure to comply with a lawful code enforcement order is enforceable by criminal penalties. Each day a violation continues is a separate offense. Each violation is punishable as follows:

First offense: fine of at least \$500.00 but not more than \$1,000.00 or by imprisonment for not more than 15 days, or both.

Second offense: fine of at least \$750.00 but not more than \$1,000.00, or by imprisonment for at least 5 days but not more than 15 days.

Third offense: fine of \$1,000.00 and imprisonment for at least 16 days, but not more than 1 year.

In addition, failure to comply within a lawful code enforcement order can be enforced by other civil remedies and by the City correcting the violations, charging the cost to the owner or violator, and placing a lien on the property for the cost of such work.

For further information, please call Mr. R. Piacente, Housing Inspector, Monday thru Friday between 8:30-9:30 A.M. or 3:30-4:30 P.M. at 377-6511.

Yours truly,

RALPH DELUCIA
ASST. HOUSING INSPECTOR SUPERVISOR

Rp:rt 8510 p. 37 H-4 (e)

cc: Housing File
R. Piacente
R. Delucia
J. Lafferty
Peter Merson Apt. 8T
1 David Lane
Yonkers, NY 10705
1999032H0320