



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.nyc.gov/mcb4

COREY JOHNSON

Chair  
4

ROBERT J. BENFATTO, JR., ESQ.

District Manager  
6

7 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 20 (RATIFICATION)

8

9 July 12, 2012

10

11 Dennis Rosen

12 Chairman

13 New York State Liquor Authority

14 80 S. Swan Street, 9<sup>th</sup> Floor

15 Albany, New York 12210

16

17 **Re: Elsayed 4 LLC d/b/a Horus Too – 416 W 46<sup>th</sup> Street - License # 1221792**

18

19 Dear Chairman Rosen:

20

21 Manhattan Community Board 4 (MCB4) recommends denial of a renewal of a restaurant wine  
22 license for Elsayed 4 LLC d/b/a Horus Too – 416 W 46<sup>th</sup> Street - License # 1221792.

23

24 When they first came to us in March 2009 (see attached letter) they stated they would have no  
25 backyard use; no hookah use; no sidewalk use; that signs would be posted requesting quiet;  
26 French Doors would be closed at 10 p.m. Sunday through Thursday and at 11 p.m. on Friday and  
27 Saturdays and at any time amplified music is played; contact information would be supplied to  
28 residents, the community board and block associations; and complaints would be addressed  
29 quickly. Each and every one of these stipulations have been violated since day one and all though  
30 they openly agreed to these stipulations at a public Business License & Permits Committee  
31 meeting (February 10, 2009), they continue to assert that since they signed nothing they never  
32 agreed to any of the stipulations. In fact they are the reason why today all applicants must sign  
33 stipulations.

34

35 To make matters worse they have been a perpetually disruptive neighbor to the residents and  
36 businesses around. At numerous Business License & Permits Committee meetings as well as  
37 Midtown North Precinct Council meetings host of residents and businesses (414 Hotel – 414 W  
38 46<sup>th</sup> St.) have come to complain about the smell of smoke and the use of tobacco, congregation in  
39 the backyard and the use of the closed down business establishment next door (Best Burgers &  
40 Shakes 416 W 46<sup>th</sup> Street). There have been instances of underage drinking (on September 15,  
41 2011) and a MARCH was done by The Mayor's Office of Special Enforcement on June 15, 2012  
42 which resulted in a series of violations (see attached).

43

44 We have invited the owners to numerous committee meetings and they have not attended any. On  
45 June 22, 2012 we received a letter from what appears to be a second attorney (see attached)  
46 defending the establishment and asking to appear before the BLP committee. Numerous calls and

1 letters to the attorney inviting them to the July 10, 2012 meeting went unanswered until 4:30 pm  
2 that day when we called one last time to confirm attendance and we were told by an employee of  
3 the attorney that the attorney and owners would not be attending. As a result we were never given  
4 the opportunity to work with them to resolve these outstanding issues as was promised in the  
5 March 2009 stipulations.

6  
7 Given all this, we have no choice but to strongly recommend the license not be renewed. It is  
8 inconceivable to us that a license can be renewed with an establishment that has openly violated  
9 its agreements, committed illegal activity, and not worked with the community and the community  
10 board to address any of these legitimate concerns. We certainly cannot support such egregious  
11 and continuous behavior with our district.

12  
13 Sincerely,



14 Corey Johnson  
Chair

15  
16 cc: Michael Jones Esq., Deputy Chief Executive Officer NYS Liquor Authority  
17 NYS Senator Thomas K. Duane  
18 NYS Assemblyman Richard Gottfried  
19 NYC Council Speaker Christine Quinn  
20 Lamis Jamal Deeks Esq., Attorney  
21 Elsayed Mohamed, Owner  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

March 20, 2009

Commissioner Daniel Boyle  
New York State Liquor Authority  
80 South Swan Street  
Albany, NY 12210

Re: Elsayed 4 LLC d/b/a Horus Too – 416 W. 46 St. (9/10 Aves.) – New - RW

Dear Commissioner Boyle:

Manhattan Community Board 4 voted to recommend denial of a wine and beer license (RW) for Elsayed 4 LLC d/b/a Horus Too – 416 W. 46 St. unless the following conditions, as agreed to by the applicant, are incorporated into the method of operation:.

- Hours of operation will be from noon to midnight
- no backyard use
- no hookah use
- no sidewalk use, and signs will be posted requesting quiet
- French doors will be closed at 10 p.m. Sunday through Thursday, and at 11 p.m. on Friday and Saturdays, and at any time amplified music is played
- Contact information will be supplied to residents, the community board and block associations, and complaints will be addressed quickly.

This is a new Mediterranean restaurant that will be open 7 days a week from noon – 12 midnight. Because of it's mid-block location, substantial concerns were raised by community members about potential noise and congregation issues. In response to the community's concerns, the owner agreed to limit hours of operation, which was generally acceptable to those who spoke against the application. They will have a total capacity of 20; 6 tables, with 12 seats.

Sincerely,

Jean-Daniel Noland  
Chair  
Manhattan Community  
Board Four

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

Chuck Spence  
Co-Chair  
Business License & Permits  
Committee

cc: Applicant  
Fred Gioffre  
Elected Officials

**414 Hotel  
414 West 46 Street  
New York NY 10036**

To: Member of Community Board 4

From: Sakina Alkarimi, General Manager

Re: Noise Level/Complaints from Night Shift / Guest requesting to check out

May 6, 2012

I, Sakina Alkarimi have been General Manager of the 414 Hotel since 2003. In all the years I have worked for the hotel: insuring our guests comfort, safety, and a restful night stay at the 414 HOTEL, it has been significantly compromised and the sample of reviews is just a brief description/indication. I have seen restaurants and cafes next door come and go but unfortunately since Horus Too has rented the space next to us the complaints from guests and staff has increased significantly, to a point it has compromised the safety of our guests and damaged to our property.

My team working at night have often spoken and requested the Horus Too manager to turn down the music and also addressed situations when patrons of Horus Too come on to our property completely drunk and damaging our plants, tables, and throwing bottles of beer, cigarettes. This does not help provide a safe, secure, clean environment and in many cases I have to either change rooms (due to the noise), offer a discount, and in some cases (as written in reviews) a guest decides never to return---no fault of ours. We have made many attempts just to keep the neighborhood friendly, welcoming our tourists, corporate accounts, and providing a memorable experience for our guests—but unfortunately with the way Horus Too operates it makes it extremely difficult.

311 calls have been placed: Service Request #C1-708772490 (Loud Noise)

I do hope serious measures are taken to insure we can restore the community feeling we all try to achieve and to insure a memorable experience and not a hostile one for our guests/team/ neighborhood.

Sakina Alkarimi  
General Manager

## Poor internet reviews of 414 Hotel and our Community due to noise from Horus Too

### **Dec 3, 2011 - Booking.com**

I hate to mention any negatives because all other aspects of the hotel were excellent, but the room we were in was overlooking the street and was very noisy. We expected a certain level of noise as we knew it was a busy area of Manhattan to stay in but the noise level was horrendous. The first night we were there the bar next door was playing music till 4am, in fairness this was a Saturday night and this did not happen again during our stay but it ruined our first night. After this we went and bought ear plugs which solved the issue, the windows were pretty ineffective at shutting out any noise, most of the time you couldn't tell if they were shut the noise level was that high. Having said all that I would stay here again as you can not argue with the price and location, I would however be asking for a room overlooking the courtyard and take my earplugs!

### **Jan 21, 2012 - TripAdvisor**

The staff are very friendly and helpful. The room was clean. There is free wi-fi and a small refrigerator in the room which is a nice perk. I had a room on the streetside, it was very noisy in the middle of the night when the bars let out .... Fortunately I brought ear plugs with me.

### **May 2, 2011 - Booking.com**

There is a new bar next door that can be heard in almost all the rooms until about 3am. It is extremely loud if on the right hand side of the hotel.

### **April 4, 2011 - Trip Advisor**

We have stayed at the 414 Hotel for our annual weekend in New York City and have always liked it because of its small size, location, comfortable beds, included continental breakfast and if you got a room facing the courtyard, its quiet atmosphere for sleeping. Unfortunately, since we were there last year (2010) they have a new neighbour, a "hookah" bar/restaurant which plays loud music until 4:00 a.m. The constant thump, thump, thump makes it virtually impossible to sleep. If you plan on going there, when you get to your room, learn to operate the air conditioner, even in winter, as the fan hopefully will help to hide the noise (I was too tired to get up in the middle of the night to figure out the controls!), but not the vibration. I'm afraid we're going to have to find somewhere else to stay in the future.

**These are just examples of real reviews from tourists - more reviews will continue due directly to the illegal activities of Horus Too. If we do nothing, our beautiful, residential quiet neighborhood will lose its value.... time for preservation, not 4am loud hookah parties that break many laws !**

# MAYOR'S OFFICE OF SPECIAL ENFORCEMENT

Date 6/15/12 Time 2200 Occupancy BG P-t/Born 0/8 Block/Lot

Initial Insp.  Re-insp.  Invest.  Vacate  Closing  Other  Specify: Complete

D.B.A. HORUS TOO A.P.I.C. ELDIASTE, Mohamed  
 Address 416 W 46 ST Address 4525 45th St  
 City/State NY City ASTORIA, NY  
 Corp. ELSAYED 4 LLC Sex M Race \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_  
 Address Horus too D.O.B. 5/9/85 ID TYPE \_\_\_\_\_ EXP. \_\_\_\_\_  
 City/State 416 W 46 Phone \_\_\_\_\_

Buildings Department:	Violations	Summonses	E.C.B.	Violation C/W
Fire Department:	Violations	Summonses	E.C.B.	Violation C/W
Police Department:	Violations <u>8</u>	Arrests	E.C.B.	Violation C/W
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

TOTALS	
Violations:	<u>8</u>
Summonses:	<u>1</u>
E.C.B.:	<u>4</u>
Hearings:	_____
Vacate #	_____
Closing #	_____

Personnel: JAVIS, Praveen  
Santiago

- SLA # - 1221792 exp 8/31/12
- E360345 # 1-4
  - E360387 # 1-2
  - E360356 # 1-2
  - 061512 CMTF KP03 (1020.2, 27-369) # 349802092
  - 061512 CMTF KP04 (3111.1, 27-529) # 34980210X
  - 061512 CMTF KP05 (28-105.1) # 3498022412
  - 061512 CMTF KP06 (28-301.1) # 34980233X



CROSS STREETS  
9th AVE  
10th AVE

CITY OF NEW YORK  
FIRE DEPARTMENT

A-10(B) 10-03  
BATTALION \_\_\_\_\_

VIOLATION ORDER

D.O. \_\_\_\_\_  
E 360345

To 416 West 46 Street NY 10036  
Front 1st Floor  
ADDRESS BAR Hookah  
NAME OF OWNER, LEASEE, OCCUPANT, ETC. HURVSTOO  
SNH MANAGEMENT LLC  
108-28 DRIVE FOREST HILLS NY 11375

ROOM NO. OR FLOOR \_\_\_\_\_ TYPE OF OCCUPANCY \_\_\_\_\_ ACCOUNT NO. \_\_\_\_\_

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	DESCRIPTION
		In the Interest of public safety:
	1	DISCONTINUE the USE OF OPEN FLAMES (CANDLES) Without an open flame permit FOR "HURVSTOO" HOOKAH BAR AS per section 105.6 OF the FIRE CODE.
	2	Repair Restore All Fire rated Construction in cellar TO prevent the passage of smoke and fire in the event of a fire emergency as per section 103.1 of fire code.
	3	Properly hang all fire extinguishers in Hurvstoo Hookah BAR with tops of fire extinguishers no more than (5) FIVE FEET OFF the ground AS per 906.9 FIRE CODE
	4	Provide minimum of 36" OF aisle spacing For proper means of egress.

If this order has not been complied with in Five days of the issuance date, A SUMMONS will be served for 1027.1 violations of the Administrative Code of the City of New York. Fire Code

TO 25 FOR NUMBERING  
TO 24 FOR DISMISSAL

*Selvetta Cassano*  
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER: NASSIM MOUSTAFA  
INSPECTOR: FIRE ALARM SQUAD 6-15-12  
DATE: 6-15-12  
TITLE: Major's Task Force of Special  
PHONE #: 212-956-9661  
UNIT: 2140206000

Unit Address: 1 CENTRAL BOWLING NEW YORK NY 10007  
Unit Telephone: 212 788 7110



CROSS STREETS  
10th AVE  
9th AVE

CITY OF NEW YORK  
**FIRE DEPARTMENT**

A-10(B) 10-03

BATTALION \_\_\_\_\_

D.O. \_\_\_\_\_

**VIOLATION ORDER**

**E 360357**

To 416 West 46 Street NY 10036 SMT Management LLC  
ADDRESS 102-28 Drive Forest Hills NY  
NAME OF OWNER, LEASEE, OCCUPANT, ETC.  
Hookah Bar  
ROOM NO. OR FLOOR \_\_\_\_\_ TYPE OF OCCUPANCY \_\_\_\_\_ ACCOUNT NO. \_\_\_\_\_

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
		<i>In the Interest of public Safety</i>
	1	<i>Properly wire BX electrical cable in courtyard area or remove exposed electrical BX cable. As per Section 605 of the Fire Code.</i>
	2	<i>Provide no smoking signs in courtyard area throughout.</i>

If this order has not been complied with in 5 days of the issuance date, A SUMMONS will be served for violations of the Administrative Code of the City of New York.

**TO 25** **TO 24**  
**FOR -NUMBERING** **FOR DISMISSAL**

*Salvatore Cassano*  
 By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

Nasser M. WoustaFA owner  
NAME OF PERSON WHO RECEIVED THIS ORDER TITLE PHONE #  
125 Green Street 6-11-10 Hayes Park Fire  
INSPECTOR DATE UNIT

Unit Address 1 Centre St Room 1612N Unit Telephone 212 788 7140  
New York NY 10007



CROSS STREETS

CITY OF NEW YORK  
FIRE DEPARTMENT

A-10(B) 10-03

BATTALION

1st Ave  
9th Ave

D.O.

VIOLATION ORDER

E 360356

To 416 West 46 Street NY 10036

HOURS TDO  
SAY ALG...  
105-18 DRIVE FIVE HILLS NY  
NAME OF OWNER, LEASEE, OCCUPANT, ETC. 11376

ADDRESS  
Hookah BAR  
ROOM NO. OR FLOOR TYPE OF OCCUPANCY ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	
	1	In the Interest of public safety Discontinue/REMOVE the duct work for Hookah stove connected (illegally) to Rangehood exhaust duct leading to Roof.
	2	Provide a sketch/diagram of exhaust hood ductwork beginning, run and terminus on a 5 1/2" x 11" (inch) paper (framed) posted in exhaust hood area. As per section 2411.6.7 of the Fire Code

If this order has not been complied with in <sup>with 24 hours</sup> days of the issuance date, a SUMMONS will be served for violations of the Administrative Code of the City of New York.

TO 25 FOR NUMBERING  
TO 24 FOR DISMISSAL

Salvatore Casano  
By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NAME OF PERSON WHO RECEIVED THIS ORDER: NASSIR M. KHOUJATA  
INSPECTOR: [Signature] DATE: 6-11-14 TITLE: [Signature] PHONE: [Signature]  
UNIT: [Signature]

Unit Address: 100th St (Bklyn) Unit Telephone: 718-758-7145  
[Signature]



# NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

**Violation No. 34980210X**  
ENVIRONMENTAL CONTROL BOARD

<b>Respondent</b>	First name (or entity name) <i>SNH MANAGEMENT LLC</i>		Last name	
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street <i>108-28 67 DRIVE</i>	City <i>FOREST HILLS</i>	State <i>NY</i>	Zip code <i>11375</i>
Additional mailing to be sent (agent, care of, other):			License No. (If Applicable)	Construction Activity
<b>Name</b>	First name	Last name	Company	
<b>Mailing address</b>	Number and street	City	State	Zip code

## Commissioner's Order To Correct Violations

<b>Place of occurrence</b> <i>416 WEST 46TH ST</i>		Boro <i>M</i>	Date of violation <i>06/15/12</i>	Type <i>C</i>	Dist. <i>MTE</i>	Code <i>KP</i>	No. <i>04</i>
Construction type <i>JU</i>	BIN <i>1083779</i>	No. of stories <i>4</i>	Block <i>1655</i>	Lot <i>43</i>	Occupancy at time of inspection <i>MIXED USE</i>	Basis of violation <i>CSE</i>	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

<b>Violating Conditions Observed</b>		Stop Work Order <input type="checkbox"/> Full <input type="checkbox"/> Partial	Class 1 <input type="checkbox"/>	Class 2 <input type="checkbox"/>	Class 3 <input checked="" type="checkbox"/>	Recurring Condition <input type="checkbox"/>
Infraction Code <i>B 307</i>	Provision of Law <i>BC 311.1 27-509</i>	<i>FENCE EXCEED PERMITTED HEIGHT. NOTED AT REAR OF BLDG EAST SIDE ERECTED ALONG BACK YARD WOODEN (PLYWOOD) FENCE 8 FEET IN HEIGHT, EXCEEDING PERMITTED HEIGHT 6'-0" IN RESIDENTIAL DISTRICT.</i>				
<b>Remedy:</b> <i>PROVIDE FENCE TO CODE.</i>						
<b>ILLEGAL CONVERSION - CLASS 1.</b> Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.						
Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable. <input type="checkbox"/> Aggravated II Condition per 1RCNY 102-01(f)						
The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. <b>IMPORTANT: See 'Certifying Correction' on reverse.</b>						

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

<b>Resolution options</b>	
<b>CURE DATE</b> <i>07/25/12</i>	<b>HEARING DATE</b> <i>08/02/12</i> at <input checked="" type="checkbox"/> 8:30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
<p>If a date appears in the box above, you may have the option to <b>admit</b> the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.</p> <p>The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (or a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.</p> <p><b>Environmental Control Board hearing locations:</b></p> <ul style="list-style-type: none"> <li>Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl.</li> <li><input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl.</li> <li>Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl.</li> <li>Bronx, (718) 893-6110 - 3030 3rd Ave., 2nd fl.</li> <li>Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.</li> </ul> <p>Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.</p>	

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at [www.nyc.gov/buildings](http://www.nyc.gov/buildings).

Issuing officer's last name, first initial (print)  
*PARCZEWSKI K.*  
*121214* *M.T.*  
Badge number Unit Code

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature *[Signature]*  
This statement is affirmed under penalty of perjury.

34980210X



# NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

**Violation No. 34980209Z**  
ENVIRONMENTAL CONTROL BOARD

<b>Respondent</b>	First name (or entity name) <i>SMH MANAGEMENT LLC</i>	Last name
<input type="checkbox"/> <b>Mailing address</b> (Check if same address as place of occurrence)	Number and street <i>108-28 67 DRIVE</i>	City <i>FOREST HILLS</i>
		State <i>NY</i>
		Zip code <i>11375</i>
Additional mailing to be sent (agent, care of, other):		License No. (if applicable)
<b>Name</b>	First name	Last name
		Company
<b>Mailing address</b>	Number and street	City
		State
		Zip code

## Commissioner's Order To Correct Violations

<b>Place of occurrence</b>	<i>416 WEST 46<sup>TH</sup> ST</i>	Boro <i>M</i>	Date of violation <i>06 11 2012</i>	Type <i>C</i>	Dist <i>MTF</i>	Code <i>KP</i>	No. <i>03</i>
Construction type <i>III</i>	BIN <i>1083779</i>	No. of stories <i>4</i>	Block <i>1055</i>	Lot <i>43</i>	Occupancy at time of inspection <i>MIXED USE</i>	Basis of violation <i>OSE</i>	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

<b>Violating Conditions Observed</b>	Stop Work Order Full <input type="checkbox"/> Partial <input type="checkbox"/>	Class 1 <input checked="" type="checkbox"/>	Class 2 <input type="checkbox"/>	Class 3 <input type="checkbox"/>	Recurring Condition <input type="checkbox"/>
Infraction Code <i>B.127</i>	Provision of Law <i>BC 1020.2 27-369</i>	<i>FAILURE TO PROVIDE UNOBSTRUCTED EXIT PASSAGEWAY. NOTED: EATING DRINKING ESTABLISHMENT "HORUS TOO" HAVING OBSTRUCTED / REVERSED TO APPROX 18" EXIT PASSAGEWAY BY PLACED TABLES AND CHAIRS ALONG SPACE.</i>			

**Remedy:** *REMOVE OBSTRUCTION FORTHWITH.*

**ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.

Aggravated if Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. **IMPORTANT: See 'Certifying Correction' on reverse.**

**Important Information:** As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

### Resolution options

<b>CURE DATE</b>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<b>HEARING DATE</b>	<i>08 1 02 11 2</i> at <input checked="" type="checkbox"/> 8:30 AM : 10:30 AM : 1:30 PM
------------------	---	---------------------	---

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated if condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (or a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at [www.nyc.gov/buildings](http://www.nyc.gov/buildings) or check the status on BIS query on this website. **YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.**

- Environmental Control Board hearing locations:**
- Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl
  - Manhattan, (212) 361-1400 - 66 John Street, 10th fl.
  - Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl.
  - Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
  - Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at [www.nyc.gov/buildings](http://www.nyc.gov/buildings).

Issuing officer's last name, first initial (print)  
*D. P. R. C. C. S. K. K.*  
Badge number *2224* Unit Code *H.T.*

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.  
Issuing officer's signature *[Signature]*  
This statement is affirmed under penalty of perjury.

34980209Z



# NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

**Violation No. 34980253X**  
ENVIRONMENTAL CONTROL BOARD

<b>Respondent</b>	First name (or entity name) SUN MANAGEMENT LLC	Last name		
<input type="checkbox"/> Mailing address (Check if same address as place of occurrence)	Number and street 108-28 67 DRIVE	City FOREST HILLS	State NY	Zip code 11375
	Additional mailing to be sent (agent, care of, other):		License No. (if applicable)	Construction Activity
<b>Name</b>	First name	Last name	Company	
<b>Mailing address</b>	Number and street	City	State	Zip code

## Commissioner's Order To Correct Violations

<b>Place of occurrence</b>		Boro	Date of violation	Type	Dist.	Code	No.
416 WEST 46th ST		M	061512	HIF	KP	KP	06
Construction Type	Bldg	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation	
14	1083779	4	1055	43	MCXG050	1327604	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

Violating Conditions Observed		Stop Work Order	Class 1	Class 2	Class 3	Recurring Condition
Infraction Code	Provision of Law	Full	Partial	<input checked="" type="checkbox"/>		
3139	28-301.1					
FAILURE TO MAINTAIN BUILDING IN CODE - COMPLIANT MAINTENANCE: NO FIRE STOPPING PER BC 712.3; 27-345, NOTED: AT CEILING EAST SIDE OF BUILDING. MISSING FIRE RATED CEILING FINISHES IN LARGE AREAS TO EXPOSED WOOD JOISTS AND SUBFLOOR.						
Remedy: PATCH / MAINTAIN FIRE STOPPING						

**ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. **IMPORTANT: See 'Certifying Correction' on reverse.**

Important Information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

Resolution options	
<b>CURE DATE</b>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
<b>HEARING DATE</b>	<input type="checkbox"/> / <input type="checkbox"/> / <input type="checkbox"/> at <input type="checkbox"/> :30 AM : <input type="checkbox"/> :30 AM : <input type="checkbox"/> :30 PM
<p>If a date appears in the box above, you may have the option to <b>admit</b> the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.</p> <p>The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at <a href="http://www.nyc.gov/buildings">www.nyc.gov/buildings</a> or check the status on BIS query on this website. <b>YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.</b></p> <p><b>Environmental Control Board hearing locations:</b></p> <ul style="list-style-type: none"> <li>Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl.</li> <li><input checked="" type="checkbox"/> Manhattan, (212) 361-1400 - 66 John Street, 10th fl.</li> <li>Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl.</li> <li>Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl.</li> <li>Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.</li> </ul> <p>Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.</p>	

For more information, To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at [www.nyc.gov/buildings](http://www.nyc.gov/buildings).

Issuing officer's last name, first initial (print): PRODEWSKI K.

Badge number: 12824 Unit Code: MIT

I personally observed the violation(s) charged and/or verified their existence through review of departmental records.

Issuing officer's signature: [Signature]

This statement is affirmed under penalty of perjury.

34980253X



# NOTICE OF VIOLATION AND HEARING



COMMISSIONER OF THE DEPARTMENT OF BUILDINGS  
OF THE CITY OF NEW YORK, PETITIONER, AGAINST

Violation No. 34980224R  
ENVIRONMENTAL CONTROL BOARD

<b>Respondent</b>	First name (or entity name) SMH MANAGEMENT LLC	Last name			
<input type="checkbox"/> <b>Mailing address</b> (Check if same address as place of occurrence)	Number and street 108-28 67 DRIVE	City FOREST HILLS	State NY	Zip code 11375	
Additional mailing to be sent (agent, care of, other)			License No. (if Applicable)	Construction Activity	
<b>Name</b>	First name	Last name	Company		
<b>Mailing address</b>	Number and street	City	State	Zip code	

## Commissioner's Order To Correct Violations

<b>Place of occurrence</b>		Boro	Date of violation	Type	Dist	Code	No.
416 W 57 ST		M	06115112	C	MFK	KP	05
Construction type	BIN	No. of stories	Block	Lot	Occupancy at time of inspection	Basis of violation	
111	1083779	4	1055	43	MIXED USE	03E 1327604	

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York.

### Violating Conditions Observed

Stop Work Order	Class 1	Class 2	Class 3	Recurring Condition
Full	Partial	<input checked="" type="checkbox"/>		
Infraction Code	Provision of Law	Description of Violation		
B101	28-105.1	WORK WITHOUT A PERMIT. ILLEGAL WORK NOTED: (1) ERECTED ON REAR EAST SIDE OF BLDG WOODEN STRUCTURE ONE STORY EXTENSION WITH 2'x10'x8' ADDITIONAL FOOD PREPARATION SPACE (2) WOOD BURNING FREEMAN STOVE CONNECTED TO KITCHEN RANGE HOOD EXHAUST METAL STACK (3) AT FRONT EAST SIDE OF BLDG WOODEN DECK WITH RAILING ENCLOSURE (4) RECOMMENDED BUSINESS SIGNAGE SIGN WORDING "KORUS TOW" (5) AT COLLAR SUSPENDED CEILING HUNG ON WIRES. ALL WORK 100% COMPLETED WITHOUT FIRST OBTAINING DOB PERMITS.		
<b>Remedy:</b> STOP ALL WORK. OBTAIN PERMIT				

**ILLEGAL CONVERSION - CLASS 1.** Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.

Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.

Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. **IMPORTANT: See 'Certifying Correction' on reverse.**

**Important Information:** As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

### Resolution options

<b>CURE DATE</b>	<input type="text"/>	<b>HEARING DATE</b>	<input type="text"/> / <input type="text"/> / <input type="text"/>	at <input type="text"/> :30 AM <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 1:30 PM
------------------	----------------------	---------------------	--	---

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction for a cure is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at [www.nyc.gov/buildings](http://www.nyc.gov/buildings) or check the status on BIS query on this website. **YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.**

- Environmental Control Board hearing locations:**
- Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
  - Manhattan, (212) 361-1400 - 66 John Street, 10th fl.
  - Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl.
  - Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
  - Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

For more information, To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form, call Department of Buildings at 311, or visit the ECB Violation section at [www.nyc.gov/buildings](http://www.nyc.gov/buildings).

Issuing officer's last name, first initial (print)

DOROZEWSKI K

Badge number: 21224 | Unit Code: 117

I personally observed the violation(s) charged and/or verified their existence through review of departmental records

Issuing officer's signature

This statement is affirmed under penalty of perjury

34980224R

D.B.A. HORUS TOO

Address 416 W 46 ST

City/State NY Flr. \_\_\_\_\_

Corp. ELSAIED 4 LLC

Address HORUS TOO

City/State 416 W 46

A.P.I.C. ELDIASTI, Mohamed

Address 4525 4525 45 ST

City/State ASTORIA, NY

Sex M Race \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_

D.O.B. 9/9/85 ID TYPE \_\_\_\_\_ EXP. \_\_\_\_\_

Phone \_\_\_\_\_

Buildings Department:	Violations	Summonses	E.C.B.	Violation C/W
Fire Department:	Violations <u>8</u>	Summonses	E.C.B. <u>4</u>	Violation C/W
Police Department:	Summonses	Arrests	E.C.B.	Violation C/W
Health Dept:	Violations	Hearings	E.C.B.	
Other:	Violations	Summonses	E.C.B.	

**TOTALS**

Violations: 8

Summonses: 1

Arrests: 4

Hearings: \_\_\_\_\_

Vacate #: \_\_\_\_\_

Closing #: \_\_\_\_\_

Personnel Present: DAVIS, PAREZANT  
Santiago

SLA # - 1221792 exp. 8/31/12

- E360345 # 1-4
- E360387 # 1-2
- E360356 # 1-2

- 061512 CMTF KP03 (1020.2, 27-369) # 349802092
- 061512 CMTF KP04 (3111.1, 27-529) # 34980210X
- 061512 CMTF KP05 (28-105.1) # 3498022412
- 061512 CMTF KP06 (28-301.1) # 349802283X

To 416 West 46 Street NY 10036 SNH Management LLC  
 Front 1st Floor DAIR / Hookah 108-28 DRIVE, Forest Hills NY 11375  
 ROOM NO. OR FLOOR ADDRESS TYPE OF OCCUPANCY NAME OF OWNER, LEASEE, OCCUPANT, ETC. ACCOUNT NO.

An inspection this date of the above premises indicates the existence of the following violations under the enforcement jurisdiction of this Department. You are hereby directed to correct such violations by compliance with the following order:

STANDARD ORDER FORM NO.	ITEM NO.	DESCRIPTION
		In the Interest of Public Safety:
	1	DISCONTINUE the USE OF OPEN FLAMES (CANDLES) Without an OPEN FLAME PERMIT FOR "HORUS TOO" HOOKAH BAR as per section 105.6 OF the FIRE CODE.
	2	REPAIR RESTORE ALL FIRE RATED CONSTRUCTION in cellar TO PREVENT the passage of SMOKE and FIRE in the EVENT OF a FIRE emergency as per section 102.1 OF FIRE CODE.
	3	PROPERLY hang all FIRE EXTINGUISHERS in HORUS TOO HOOKAH BAR with TOPS OF FIRE EXTINGUISHERS no more than (5) FIVE FEET OFF the ground as per 906.9 FIRE CODE.
	4	PROVIDE MINIMUM OF 36" OF AISLE SPACING FOR PROPER MEANS OF EGRESS.

If this order has not been complied with in Five days of the issuance date, A SUMMONS will be served for 1027.1 violations of the Administrative Code of the City of New York. Fire Code

**TO 25 FOR -NUMBERING** | **TO 24 FOR DISMISSAL**  
 Signature: Salvatore Cassano  
 By Order of the Fire Commissioner

This is to certify that I have made an inspection of said premises and have issued the above order to:

NASRIM MOUSTAFA 212-956-9661  
 NAME OF PERSON WHO RECEIVED THIS ORDER TITLE PHONE #  
FREDRICK SANTOYO 6-15-12 Mayor's Task Force of Special  
 INSPECTOR DATE UNIT ENFORCEMENT

Unit Address 1 CENTRE ST Room 112N Unit Telephone 212 788 7110  
NEW YORK NY 10007





**SNH MANAGEMENT LLC**

Mailing address (Check if same address as place of occurrence)  
 Number and street: 108-28 67 DRIVE  
 City: FOREST HILLS  
 State: N.Y.  
 Zip code: 11375

Additional mailing to be sent (agent, care of, other):  
 License No. (If Applicable):  
 Construction Activity:

Name: First name: Last name: Company:  
 Mailing address: Number and street: City: State: Zip code:

**Commissioner's Order To Correct Violations**

**Place of occurrence**  
 416 WEST 46<sup>TH</sup> ST  
 Boro: M Date of violation: 06/15/12 Type: C Dist: MIT Code: KP No.: 04

Construction type: IJ BIN: 1083779 No. of stories: 4 Block: 1055 Lot: 43 Occupancy at time of inspection: MIXED USE Basis of violation: 036

Based on an inspection of the premises and/or records of the Department, the undersigned has determined that you are in violation of the section of law cited below, of Title 27 or Title 28 of the NYC Administrative Code, the NYC Construction Codes, the NYC Electrical Code, the NYC Zoning Resolution, the Reference Standards and/or Titles 1 or 2 of the Rules of the City of New York

Violating Conditions Observed		Stop Work Order	Class 1	Class 2	Class 3	Recurring Condition
Infraction Code	Provision of Law	<input type="checkbox"/> Full <input type="checkbox"/> Partial	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B 307	BC 3111.1 27-509					
FENCE EXCEEDS PERMITTED HEIGHT. NOTED AT REAR OF BLDG EAST SIDE ERRECTED ALONG BACK YARD WOODEN (PLYWOOD) FENCE 8 FEET IN HEIGHT, EXCEEDING PERMITTED HEIGHT 6'-0" IN RESIDENTIAL DISTRICT.						

Remedy: PROVIDE FENCE TO CODE.

ILLEGAL CONVERSION - CLASS 1, Per 28-202.1 & 1RCNY 102-01, additional daily penalties for continued violation of 28-210.1 also applicable.  
 Per 28-202.1 & 1RCNY 102-01, additional "Class 1" daily or "Class 2" monthly penalty also applicable.  Aggravated II Condition per 1RCNY 102-01(f)

The Commissioner orders that you timely correct these conditions and file a certificate of such correction. Uncorrected violations are subject to additional violations and penalties. IMPORTANT: See 'Certifying Correction' on reverse.

Important information: As detailed in §28-201.4 and Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York, violations may be subject to aggravated penalties of the first order, which shall be imposed in accordance with the ECB Buildings Penalty Schedule.

**Resolution options**

CURE DATE: 07/25/12  
 HEARING DATE: 08/02/12 at  8:30 AM  10:30 AM  1:30 PM

The hearing date above is mandatory if you are either charged with a Class 1 violation, or the violation is marked as an Aggravated II condition, or if no "cure date" is given on this Notice of Violation. Also, the above hearing date is mandatory for all other types of charges if a certificate of correction (for a cure) is not received by the date indicated to the left, or is not approved by the Department, or if you are offered but have not timely accepted a pre-hearing stipulation or admit the violation. Refer to the DOB ECB Penalty Schedule at [www.nyc.gov/buildings](http://www.nyc.gov/buildings) or check the status on BIS query on this website. YOU MUST ATTEND THE HEARING IF YOU WISH TO CONTEST THE VIOLATION.

- Environmental Control Board hearing locations:**
- Queens, (718) 298-7300 - 144-06 94th Avenue, 1st fl.
  - Manhattan, (212) 361-1400 - 66 John Street, 10th fl.
  - Brooklyn, (718) 923-6100 - 9 Bond Street, 7th fl.
  - Bronx, (718) 993-6110 - 3030 3rd Ave., 2nd fl.
  - Staten Island, (718) 815-8385 - 350 St. Marks Place, 1st fl.

Proceedings will be held under the authority of the NYC Charter section 1049-a and the rules promulgated thereunder. This hearing is your opportunity to answer and defend against the allegations set forth above. Failure to appear, unless you admit the violation or an appearance is not required through availability of a Cure or Stipulation (see reverse) will result in a default and imposition of maximum penalties.

If a date appears in the box above, you may have the option to **admit** the violation and certify correction by the "cure date." By doing so, you avoid a hearing before the Environmental Control Board and any penalties which would be assessed at the hearing. Note: Depending on the violation, additional DOB civil penalties (separate from ECB penalties) may apply before a cure can be granted. For more information regarding "cures", see reverse side of the respondent copy of this Notice of Violation.

For more information. To reschedule your hearing or inquire about the case status, call the Environmental Control Board at the numbers listed above. For information on certifying correction of this violation, read instructions on the Certificate of Correction form.

# LAMIS JAMAL DEEK, ESQ.

ATTORNEY AT LAW

351 BROADWAY 3<sup>RD</sup> FL.  
NEW YORK N.Y. 10013

P:212-226-3999  
F:718-439-3999

LAMISJAMAL.ESQ@YAHOO.COM

---

June 20, 2012

Community Board 4  
Chair of the Community Board/  
Nelly Gonzalez  
330 West 42nd Street, 26th floor  
New York, NY 10036

## REQUEST TO ATTEND CB4 MEETING

Dear Ms. Gonzalez/Chair of Community Board #4:

My name is Lamis Deek, and I am the principal attorney of the Law Offices of Lamis Deek. We are writing to inform you that our offices represent "Horus Too," located at 416 West 46<sup>th</sup> Street, Mr. Mohammad Al Sayed and the establishment's shareholders, and employees. We have attempted to contact you by email and telephone but seems we were not affective in doing so. Accordingly, we are writing you to provide notice of our representation and in the hope of opening up a line of communication between you and our office.

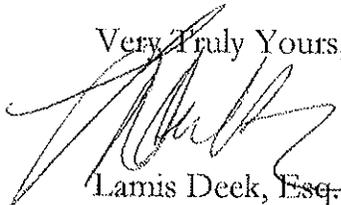
It has come to our attention that several complaints have been filed against our clients with CB4 and that some of the local residents have taken to calling various City Agencies and news outlets to air their grievances. Having reviewed these complaints as well as our clients' operation, history, and legal standing and compliance, we have found that many of the complaints filed with your agency and aired to the media are knowingly false and have substantially damaged our clients. As you may know our clients have always been cooperative with the needs of the community and with your agency and have shown to be upstanding commercial residents of the neighborhood-the sort of people one wishes to have in their neighborhood. However, our clients

have endured a great deal of stress as a result of some of the actions of various community board members.

We would love an opportunity to hear from you, the complainants themselves and to attend your next scheduled CB4 meeting so that we can resolve these issues. Please do let us know when the next scheduled CB4 meeting is.

We look forward to your response and to resolving this matter in the most expeditious and mutually positive manner.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Lamis Deek', is written over the typed name. The signature is fluid and cursive.

Lamis Deek, Esq.

**414 Hotel**  
**414 West 46 Street**  
**New York NY 10036**

To: Member of Community Board 4

From: Sakina Alkarimi, General Manager

Re: Noise Level/Complaints from Night Shift / Guest requesting to check out

May 6, 2012

I, Sakina Alkarimi have been General Manager of the 414 Hotel since 2003. In all the years I have worked for the hotel: insuring our guests comfort, safety, and a restful night stay at the 414 HOTEL, it has been significantly compromised and the sample of reviews is just a brief description/indication. I have seen restaurants and cafes next door come and go but unfortunately since Horus Too has rented the space next to us the complaints from guests and staff has increased significantly, to a point it has compromised the safety of our guests and damaged to our property.

My team working at night have often spoken and requested the Horus Too manager to turn down the music and also addressed situations when patrons of Horus Too come on to our property completely drunk and damaging our plants, tables, and throwing bottles of beer, cigarettes. This does not help provide a safe, secure, clean environment and in many cases I have to either change rooms (due to the noise), offer a discount, and in some cases (as written in reviews) a guest decides never to return---no fault of ours. We have made many attempts just to keep the neighborhood friendly, welcoming our tourists, corporate accounts, and providing a memorable experience for our guests—but unfortunately with the way Horus Too operates it makes it extremely difficult.

311 calls have been placed: Service Request #C1-708772490 (Loud Noise)

I do hope serious measures are taken to insure we can restore the community feeling we all try to achieve and to insure a memorable experience and not a hostile one for our guests/team/ neighborhood.

Sakina Alkarimi  
General Manager

## Poor internet reviews of 414 Hotel and our Community due to noise from Horus Too

### **Dec 3, 2011 - Booking.com**

I hate to mention any negatives because all other aspects of the hotel were excellent, but the room we were in was overlooking the street and was very noisy. We expected a certain level of noise as we knew it was a busy area of Manhattan to stay in but the noise level was horrendous. The first night we were there the bar next door was playing music till 4am, in fairness this was a Saturday night and this did not happen again during our stay but it ruined our first night. After this we went and bought earplugs which solved the issue, the windows were pretty ineffective at shutting out any noise, most of the time you couldn't tell if they were shut the noise level was that high. Having said all that I would stay here again as you can not argue with the price and location, I would however be asking for a room overlooking the courtyard and take my earplugs!

### **Jan 21, 2012 - TripAdvisor**

The staff are very friendly and helpful. The room was clean. There is free wi-fi and a small refrigerator in the room which is a nice perk. I had a room on the streetside, it was very noisy in the middle of the night when the bars let out .... Fortunately I brought earplugs with me.

### **May 2, 2011 - Booking.com**

There is a new bar next door that can be heard in almost all the rooms until about 3am. It is extremely loud if on the right hand side of the hotel.

### **April 4, 2011 - Trip Advisor**

We have stayed at the 414 Hotel for our annual weekend in New York City and have always liked it because of its small size, location, comfortable beds, included continental breakfast and if you got a room facing the courtyard, its quiet atmosphere for sleeping. Unfortunately, since we were there last year (2010) they have a new neighbour, a "hookah" bar/restaurant which plays loud music until 4:00 a.m. The constant thump, thump, thump makes it virtually impossible to sleep. If you plan on going there, when you get to your room, learn to operate the air conditioner, even in winter, as the fan hopefully will help to hide the noise (I was too tired to get up in the middle of the night to figure out the controls!), but not the vibration. I'm afraid we're going to have to find somewhere else to stay in the future.

**These are just examples of real reviews from tourists - more reviews will continue due directly to the illegal activities of Horus Too. If we do nothing, our beautiful, residential quiet neighborhood will lose its value.... time for preservation, not 4am loud hookah parties that break many laws !**

**From:** SRNotification <SRNotification@customerservice.nyc.gov>  
**To:** INFO414HOTEL <INFO414HOTEL@NETSCAPE.NET>  
**Subject:** 311 Service Request Confirmation #: C1-1-708772490 , Noise - Commercial  
**Date:** Sun, Nov 27, 2011 1:20 am  
**Attachments:** logo.gif (3K)

\*\*This is an auto-generated system message. Please do not reply to this message.\*\*

**Service Request #:** C1-1-708772490  
**Date Submitted:** 11/27/11 1:14:05 AM  
**Request Type:** Noise - Commercial  
**Details:** Loud Music/Party

Thank you for contacting New York City 311. Your Service Request has been sent to the New York City Police Department for action.

[Get Service Request Details](#)

We want to hear from you! Tell us whether you like or dislike getting email notifications.

[Visit 311 Online](#)  
[Learn About 311 Service Request Emails](#)



1 Attached Images *COMPLAINED*



*RM # 303 A OF NEXT DOOR MUSIC TOO LOUD. PROCEEDED TO CALL #311 AT 1:15 A.M. ON 11-27-11. SPOKE TO CARLOS ABOUT THE NOISE COMPLAINT. TOLD HIM THAT ON FRIDAY, SATURDAY, SUNDAY AROUND 12 AM TO 3 AM IS WHEN THE MUSIC IS THE LOUDEST.*

*SHAWN*

# LAMIS JAMAL DEEK, ESQ.

ATTORNEY AT LAW

351 BROADWAY 3<sup>RD</sup> FL.  
NEW YORK N.Y. 10013

P:212-226-3999

F:718-439-3999

LAMISJAMAL.ESQ@YAHOO.COM

---

June 20, 2012

Community Board 4  
Chair of the Community Board/  
Nelly Gonzalez  
330 West 42nd Street, 26th floor  
New York, NY 10036

## REQUEST TO ATTEND CB4 MEETING

Dear Ms. Gonzalez/Chair of Community Board #4:

My name is Lamis Deek, and I am the principal attorney of the Law Offices of Lamis Deek. We are writing to inform you that our offices represent "Horus Too," located at 416 West 46<sup>th</sup> Street, Mr. Mohammad Al Sayed and the establishment's shareholders, and employees. We have attempted to contact you by email and telephone but seems we were not affective in doing so. Accordingly, we are writing you to provide notice of our representation and in the hope of opening up a line of communication between you and our office.

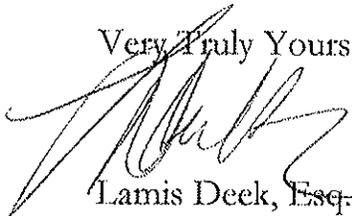
It has come to our attention that several complaints have been filed against our clients with CB4 and that some of the local residents have taken to calling various City Agencies and news outlets to air their grievances. Having reviewed these complaints as well as our clients' operation, history, and legal standing and compliance, we have found that many of the complaints filed with your agency and aired to the media are knowingly false and have substantially damaged our clients. As you may know our clients have always been cooperative with the needs of the community and with your agency and have shown to be upstanding commercial residents of the neighborhood-the sort of people one wishes to have in their neighborhood. However, our clients

have endured a great deal of stress as a result of some of the actions of various community board members.

We would love an opportunity to hear from you, the complainants themselves and to attend your next scheduled CB4 meeting so that we can resolve these issues. Please do let us know when the next scheduled CB4 meeting is.

We look forward to your response and to resolving this matter in the most expeditious and mutually positive manner.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Lamis Deek', written over the typed name below.

Lamis Deek, Esq.

- Item 19: Letter to SLA re House of Brews – 302 W. 51<sup>st</sup> Street
- Item 20: Letter to SLA re Horus Too – 416 W. 46<sup>th</sup> Street (ratification)
- Item 21: Letter to SLA re Michael Doyle/Molly Malones – 508 Ninth Avenue
- Item 22: Letter to SLA re Hudson Hall & Tequilla Park – 356 W. 58<sup>th</sup> Street
- Item 23: Letter to SLA re Tao- 369 W. 16<sup>th</sup> Street
- Item 24: Letter to SLA re Marquee – 289 Tenth Avenue (27)
- Item 25: Letter to SLA re Briciola – 370 W. 51<sup>st</sup> Street
- Item 26: Letter to SLA re Manta – 809 Ninth Avenue
- Item 27: Letter to SLA re W. 27 Highline Owners LLC. – 516-518 W. 27<sup>th</sup> Street
- Item 28: Letter to SLA re Bar Toro – 85 Tenth Avenue (15/16)

---

**Waterfront, Parks and Environment Committee (WATER)**

Item 29: Letter to DPR re Ramon Aponte Park

---

**Executive Committee (EXEC)**

- Item 30: Letter to DCA re Amarone Restaurant – 686 Ninth Avenue (47/48)
- Item 31: Letter to DPR re High Line Section 3

---

**Budget Task Force (BTF)**

Item 32: FY 2014 Statement of District Needs

---

**Landmarks Committee (LAND)**

tbd

---

**Transportation Planning Committee (TRANS)**

tbd

---

**Clinton/Hell's Kitchen Land Use Committee (C/HKLU); Chelsea Preservation and Planning Committee (CPP); Quality of Life: ACES Committee (QoL:ACES)**

No items to report

---

**New Business (NewBus)**

---