OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn,NY 11217	Summons# : 0199681406 et al. (4 summonses) NEW YORK CITY POLICE DEPT, -against- MEGA ELECTRONICS & APPLIANCES Hearing Date : 9/10/2026 Hearing Location : Remote Type of Hearing : By Telephone

Total Penalty Amount : 0.00	**Community Service(Hr):** Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0199681360	Dismissed	07/08/2026	4010 WHITE PLAINS RD, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AB1J	20-762(B)	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0199681388	Dismissed	07/08/2026	4010 WHITE PLAINS RD, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AB1J	20-762(B)	Dismissed	0.00

Total Penalty for Summons: **0.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0199681397	Dismissed	07/08/2026	4010 WHITE PLAINS RD, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AB1J	20-762(B)	Dismissed	0.00

Total Penalty for Summons: **0.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0199681406	Dismissed	07/08/2026	4010 WHITE PLAINS RD, Bronx

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AB1J	20-762(B)	Dismissed	0.00

Total Penalty for Summons: **0.00**

Findings of Facts & Conclusions of Law

Michael Nacmias, Esq. appeared at the hearing by phone for Respondent. No appearance by Petitioner. Respondent was charged with four violation of 20-762(b) for selling, leasing, renting, or attempting to sell, lease, or rent a motorized scooter. Mr. Nacmias denied the violations. He made a motion to dismiss, arguing that the summonses fail to make out a prima facie case as they do not allege that these were motorized scooters. He argued that the summonses also failed to establish the wattage, weight and that they could not be registered with DMV. He also challenged service. He noted that the affidavits of service have the time served but do not name the person served nor their relationship to Respondent. He said that there was an address, different than the place of occurrence, where the relationship should be. He also stated that the affidavits appeared to be signed by two people, neither of which was the IO, making it impossible to know who served the summonses. He submitted Appeals 1801238, 23N01122, 23Q02587 and 2501313 in support.

I credit Mr. Nacmias' arguments. I find service to be improper. The affidavits of service do not establish who was served nor their relationship to Respondent.

Accordingly, the summonses are dismissed.

09/29/2026 **09/29/2026**

Daniella Caputo, Hearing Officer **Date**