



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Chia-Han Lin - Nacmias Law Firm, PLLC 592 Pacific Street New York, NY 11217	Summons No: 0218036565 et al. (1 Summons) Dietmar Detering -against- MCONDO TACOS Hearing Date: 11/19/2024 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$50.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0218036565	Sustained	06/09/2023	502 Grand Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AN96	24-244 (B)	Sustained	\$50.00

Findings of Fact & Conclusions of Law

Respondent appeared by its authorized representative Chia-Han Lin to respond to the charge of playing sound from a speaker outside of a business for commercial/business purposes. The Summons was issued on June 9, 2023.

Citizen Complainant Dietmar Detering submitted a video showing outdoor speakers mounted on the wall of the outdoor dining shed located at the subject premises and restaurant.

Mr. Lin also stated that Respondent denies the charge with no rebuttal but that the penalty amount should be limited to \$50.00.

Mr. Detering did not object to the imposition of the \$50.00 penalty and stated that this is the correct penalty amount pursuant to the applicable Local Law. (Local Law 1194-A, capped the maximum penalty for §24-244(b) violations issued prior to January 6, 2024, to a maximum of \$50.)

Accordingly the summons is **sustained** with a penalty amount imposed of \$50.00.

Melanie Finkel

11/25/2024

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11/25/2024

Melanie Finkel, Hearing Officer

Date