



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

Decision

Alexander Stratis - Nacmias Law Firm PLLC 592 Pacific St Brooklyn, NY 11217	Summons# : 000977585L et al. (2 summonses) DEPT OF ENVIRONMENTAL PROTECTION, -against- DHL EXPRESS USA INC Hearing Date : 7/7/2026 Hearing Location : Remote Type of Hearing : By Telephone
--	--

Total Penalty Amount : 600.00	Community Service(Hr): Not Applicable
--------------------------------------	--

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
000977585L	Dismissed	12/30/2024	73 BRIDGE STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	BA1K	24-163 (F)	Dismissed	0.00

Total Penalty for Summons: 0.00

Ms. Dossett challenge service and argued that the IO failed to articulate a reasonable attempt on the face of the affirmation of service. She argued that, as Respondent is an LLC, the IO was required to ask the store tenant spoken with whether there was anyone else present authorized to accept service on Respondent's behalf. Separately, Ms. Fossett submitted a permit obtained in correction into the record. See Resp. Ex. A.

I credit the IO, establishing the prima facie case. I credit that the affirmation is silent on whether the IO inquired of the store tenant whether there was anyone present to accept service on Respondent's behalf. I do not find Petitioner to have supplemented the record to demonstrate that the inquiry was made. As a result, I do not find the IO made a genuine attempt to serve the summons prior to posting.

Therefore I dismiss the summons.



05/13/2026

05/13/2026

Charles Simpkins, Judicial Hearing Officer

Date



07/10/2026

07/10/2026

Kristina Ross, Judicial Hearing Officer

Date