OFFICE OF ADMIN STRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn,NY 11217	Summons# : 035687285Y et al. (4 summonses) DEPT OF BUILDINGS, -against- MAQBOL LLC Hearing Date : 10/20/2026 Hearing Location : Remote Type of Hearing : By Telephone

Total Penalty Amount :	**7,500.00**	**Community Service(Hr):**	**Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035687285Y	Sustained	04/23/2025	153-40 Hillside Avenue , Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B263	AC 28-204.4	Sustained	1,250.00

Total Penalty for Summons: **1,250.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035687286X	Sustained	04/23/2025	153-40 HILLSIDE AVENUE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B276	ZR 32-64	Sustained	3,125.00

Total Penalty for Summons: **3,125.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035687287H	Sustained	04/23/2025	153-40 HILLSIDE AVENUE, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B281	ZR -MISC	Sustained	3,125.00

Total Penalty for Summons: **3,125.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035687288J	Dismissed	04/23/2025	153-40 Hillside Avenue , Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1B8	28-415 .1	Dismissed	0.00

Total Penalty for Summons: **0.00**

Findings of Facts & Conclusions of Law

Telephone hearing held on 10/16/2026

Attorney Ross Brady, Esq., DOB (Signs Unit), appeared for Petitioner DOB.

Attorney Michael Sargo, Esq. appeared for Respondent MAQBOL LLC .

Mr. Brady submitted into the record P1 –and 5 photographs of the cited conditions, text of "§ 28-105.1 General."; text of "Article 415: Sign Hanger License" ; text of "32-64 - Surface Area and Illumination Provisions"; text of "32-655 - Height Of signs in all other Commercial Districts"; the AOS for the summonses below; page 18/19 of the Follow-up #4 — Local Law 28 of 2019 and Local Law 15 of 2026. Extension of Enforcement Moratorium and Temporary Assistance "Moratorium on the Issuance of Certain Accessory Sign Violations

As of January 1 , 2025, the Department will not issue accessory sign violations for business

storefront signs that existed on or before February 9, 2025, and do not exceed 150 square feet in area or exceed 1 , 200 pounds in weight, unless the sign creates imminent threat to public health or safety. The enforcement moratorium is extended to February 8, 2028"

035687285Y

On 4/23/25, at 153-40 Hillside Avenue, Queens, the issuing inspector issued this summons to Respondent, which alleged a violation of AC 28-204.4 (Class 2).

Mr. Brady noted there was a previous cited summons, which was sustained for lack of a permit for a sign, and noted no compliance was recorded.

Mr. Sargo denied the violation without presenting rebuttal.

I credit the sworn testimony of the I/O and find that Petitioner has proven its case by a preponderance of the evidence.

Accordingly, the summons is SUSTAINED.

035687286X

On 4/23/25, at 153-40 Hillside Avenue, Queens, the issuing inspector issued this summons to Respondent, which alleged a violation of ZR 32-64 (Class 2, AGGI).

Mr. Brady referred to the ZR noting the size of the signs, in the instant case, the accessory business sign is limited to 150 square feet and the cited sign is 200 square feet, referring to the photographs.

Mr. Sargo denied the violation without presenting rebuttal.

I credit the sworn testimony of the I/O and find that Petitioner has proven its case by a preponderance of the evidence.

Accordingly, the summons is SUSTAINED as an AGGI.

035687287H

On 4/23/25, at 153-40 Hillside Avenue, Queens, the issuing inspector issued this summons to Respondent, which alleged a violation of ZR -MISC (Class 2, AGGI).

Mr. Brady argued the 200 square feet sign between the 2nd and 3rd floor was measured at 30 feet above the street level and the maximum allowed is 25 feet, referring to the photographs.

Mr. Sargo denied the violation without presenting rebuttal.

I credit the sworn testimony of the I/O and find that Petitioner has proven its case by a preponderance of the evidence.

Accordingly, the summons is SUSTAINED as an AGGI.

035687288J

On 4/23/25, at 153-40 Hillside Avenue, Queens, the issuing inspector issued this summons to Respondent, which alleged a violation of 28-415 .1 (Class 2, AGG1).

Mr. Brady noted signs of this size require a licensed sign hanger perform or supervise and there was no evidence that this was performed or evidence of compliance.

Mr. Sargo submitted into the record R1 – OATH Summons 35680504N and R2 - OATH Appeal 2301913.

Mr. Sargo moved to dismiss, arguing the violation charges a 1 time violation and it was already issued and found in violation, referring to R1, and this is not a continuing violation, as Respondent should not be charged twice for hanging the sign one time, referring to OATH Appeal 2301913, "In that case, the Board found that a respondent cannot be charged twice under the predecessor statute of Code § 28-105.1 for performing the same work without a permit, as work without a permit is a one-time violation, not a continuing violation for which subsequent summonses may be written."

Mr. Brady argued the Appeal refers to a permit violation, but here, there was no proof of having put up by a licensed sign hanger to certify it was done correctly so it is not on point.

The cited section of law states: "§ 28-415.1 Sign hanger license required.

It shall be unlawful to hoist or lower or to hang or attach any sign upon or on the outside of any building or structure in the city unless such work is performed by or under the direct and continuing supervision of a person licensed as a sign hanger under the provisions of this article."

Here, the violation is charged as an AGG1 violation and Mr. Sargo's evidence shows that this section of law was previously charged to Respondent and as Mr. Sargo represented, it was sustained. Although this is a class 1 infraction code, it is noted as a class 2 violation. There is no class 2 violation of the cited law and therefore the summons is defective and must be DISMISSED. This Court cannot and will not fill in the blanks for Petitioner as doing so would be inappropriate as it is incumbent on the I/O to issue the summons correctly.



10/20/2026 **10/20/2026**

Joseph Fan, Hearing Officer **Date**