OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn,NY 11217	**Summons# : 035717861H et al. (3 summonses)** **DEPT OF BUILDINGS,** **-against-** **GM 88 DEVELOPMENT CORP.** **Hearing Date :** 9/10/2026 **Hearing Location :** Remote **Type of Hearing :** By Telephone

Total Penalty Amount : 10,625.00	**Community Service(Hr):** Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035717861H	Sustained	11/12/2025	13 5th Street, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1F4	BC3305 .3.1.2.1(2014CODE)	Sustained	5,000.00

Total Penalty for Summons: 5,000.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035717862J	Sustained	11/12/2025	13 5th Street, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B282	AC 28-105.12.2	Sustained	625.00

Total Penalty for Summons: **625.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035717864N	Sustained	11/12/2025	13 5th Street, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B115	BC 3301.2 AC27-1009A	Sustained	5,000.00

Total Penalty for Summons: **5,000.00**

Findings of Facts & Conclusions of Law

Respondent GM 88 DEVELOPMENT CORP. appeared at a remote telephonic hearing by Phoebe Dossett, Esq. of the Nacmias Law Firm.

Petitioner NYC Dept. of Buildings appeared by Deanna Lamberti, Esq. and the issuing officer Insp. J. Labib, Badge #: 3641.

Respondent is charged in Summons #: 35717861H with a Class 1 violation of NYC Building Code (BC) 3305.3.1.2.1 for failure to obtain registered design professional.

Ms. Dossett denied the violation but presented no facts to rebut the allegations in the Summons.

I credit the allegations in the Summons and find Respondent in violation.

Accordingly, Summons #: 35717861H is sustained, and the approved Class 1 penalty is imposed.

Respondent is charged in Summons #: 35717862J with a violation of BC 3301.7.

Ms. Dossett argued that a more applicable section of law for this violation is NYC Adm. Code 28-105.12.2.

Ms. Lamberti moved to amend the charge to a Class 2 violation of NYC Adm. Code 28-105.12.2. The motion was granted at the hearing.

Both Ms. Dossett and Ms. Lamberti stated that the violation was corrected on 1/16/2026 when the SRO was rescinded - which is before the first scheduled hearing date of 1/21/2026.

I credit the allegations in the Summons (as amended) and find Respondent in violation. I also credit that the violation was corrected before the first scheduled hearing date.

Accordingly, Summons #: 35717862J is sustained (as amended), and the approved Class 2 mitigated penalty for a violation of NYC Adm. Code 28-105.12.2. is imposed.

Respondent is charged in Summons #: 35717864N with a Class 1 violation of BC 3301.2.

Ms. Dossett denied the violation but presented no facts to rebut the allegations in the Summons and presented no valid legal defense to the charge.

Ms. Lamberti stated that the violation impacts both workers under BC 3315.1.5 as well as the general public, including inspectors, police, fire and others on the site.

I credit the allegations in the Summons and find Respondent in violation.

Accordingly, the Summons #: 35717864N is sustained, and the approved Class 1 penalty is imposed.

09/18/2026 **09/18/2026**

Jerilyn F. Rubin, Hearing Officer **Date**