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 No:** 035718792H et al. (1 Summons) DEPT OF BUILDINGS, -against- BROOKLYN REAL ESTATE 26 LLC **Hearing Date:** 10/08/2026 **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
035718792H	Dismissed	01/06/2026	26 St. Andrews Place Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B187	28- 201.1	Dismissed	$0.00

Findings of Fact & Conclusions of Law

Phoebe Dossett, Esq. appears on behalf of the Respondent, waiving the appearance of the IO, translation and the full reading of the summons. Richard Mayer, Esq. appeared on behalf of the DOB.

The summons was issued pursuant to 28-201.1 in that there was a failure to comply with commissioner's orders. The Respondent is not presenting a defense to the underlying factual allegations and instead challenges service.

The DOB is relying on the evidence and the statements made in the summons.

The Respondent argues a motion to dismiss because the summons and the commissioner's order was never mailed to her client pursuant to AC 28-209.2. All orders issued by Commissioner's Orders must be sent via regular mail or electronically. It isn't contained in the affidavit of service as having occurred and the DOB did not present proof it was mailed. The Respondent states that the underlying DOB violation (ending 399) with the CO was never mailed. She cited Appeal No. 2400683 to support her argument as it is directly on point.

At this juncture, the DOB requested access to find proof of mailing and requested an adjournment for the inspector to get the proof of mailing.

The Respondent argues that the DOB adjourned for this same reason and did come forward with the proof between the last hearing and now. She also said her client is prejudiced by not having this proceed because the Respondent is trying to sell the property and this is a blemish on title.

As such, I deny the adjournment and dismiss based on ineffective service.



10/08/2026

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Sofia Balile, Judicial Hearing Officer **Date**