



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: 035719575X et al. (1 Summons) DEPT OF BUILDINGS, -against- 1 COOPER ST. GROUP LLC Hearing Date: 06/24/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$2,500.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035719575X	Sustained	10/02/2025	35 Cooper St Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B189	28-301.1	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Phoebe Dossett, Esq. appeared on behalf of Respondent Cooper St. Group LLC.

Henrietta Asiedu Baidoo, Esq. and I/O Azon, Badge no. 3396 appeared on behalf of Petitioner, Dept. of Buildings.

Petitioner charges AC 28-301.1. Class 1. Failure to Maintain Building in a Code Compliant Manner. Petitioner alleges lack of required number of means of egress for every floor as per BC 1018.1 (2008 code); 27-366; BC 1021.1 (2014 code), BC 1006.3 (2022 code) for transient use at 3rd floor apartment no. 3.

Ms. Baidoo produced a Certificate of Occupancy showing 3 units, one on each floor, HPD Summary showing a 3 family house with 3 class A units and NYC Dept. of Finance records to show ownership information, photographs, respondent's Air BnB listing showing multiple rooms for rent and 2 sample bookings in support.

I/O Azon testifies when he arrived at the premises in response to a 311 complaint, a person located at an upstairs window who states her name was Chris refused to come down and open the door but stated she was occupying the 3rd floor unit for 2 weeks from 10/2/25 – 10/13/25. The host was not present occupying the property with them. She states she paid through AirBnB but refused to give him her confirmation. At that time, I/O Azon accessed the tenant's AirBnB booking listing page for the property which showed multiple rooms for rent and made 2 sample bookings. He did not gain physical access to the 3rd floor apartment but asked the occupant whether there was a 2nd means of egress but she stated there was only one staircase. I/O Azon reviewed BIZ, DOB Now for permits or plans for conversion work or work on a 2nd means of egress and found none.

Ms. Dossett states respondent denies the allegation. She challenges the class designation. She argues this is a 3 unit building, the occupant occupied the 3rd floor and only needed to walk down one flight of stairs to exit the building therefore the lack of a 2nd means of egress did not consist of an immediate hazard. Appeal No. 2401187, DOB v. Moses Abraham, 8/29/24

In response, Ms. Baidoo states the occupants are occupying the 3rd floor and therefore have to walk down 3 floors to get down to the ground floor. Further, she argues the 3rd floor was being occupied as transient use to occupants who were not permanent residents of the building and were unfamiliar with the layout of the building or how to exit it. As such, this is an immediately hazardous condition and the class designation for the lack of the required means of egress was justified. She produced Appeal No. 2100732, DOB v. 13-15 Christopher St and Appeal No. 2000732, Dob v. Thor 30 Park Ave in support.

I do not credit respondent's evidence and find it fails to rebut petitioner's evidence or establish a valid defense. I credit petitioner's evidence showing respondent/respondent's tenant illegally occupied the 3rd floor apartment for transient use without the required number of means of egress and find respondent in violation.

Accordingly, this summons is sustained and a standard penalty of \$2,500.00 is imposed.

Deborah Mbabazi

07/02/2026

07/02/2026

Deborah Mbabazi, Judicial Hearing Officer

Date