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:** 035726728N et al. (1 Summons) DEPT OF BUILDINGS, -against- 74-01 64TH LANE,LLC **Hearing Date:** 10/02/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount:**$2,500.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
035726728N	Sustained	02/05/2026	74-01 64th Ln Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B1Q3	28-323 .1	Sustained	$2,500.00

Findings of Fact & Conclusions of Law

A hearing was conducted by telephone on October 2, 2026. Phoebe Dossett, Esq. appeared for the respondent. Deanna Lamberti, Esq. appeared for the petitioner. The summons alleged a violation of NYC Admin. Code sec. 28-323.1.

The petitioner submitted an evidence packet that included photographs of the violating conditions. Inspector Nabil Isaac also testified as to his observations, stating that he observed load-bearing walls with cracks, creating a risk of collapse. Inspector Isaac also testified that, as shown in the photographs, openings in the ceiling and the absence of safety measures. Inspector Isaac testified that these observations, taken together, created an immediately hazardous condition, warranting the violations' Class I designation.

The respondent challenged the Class I designation, offering an inspection report drafted by a licensed engineer and previously submitted to DOB. The inspection report stated that the engineer did not identify any unsafe conditions, and while there were SREM conditions (Safe with Repair and/or Engineering Monitoring), these were not conditions that would become unsafe prior to the due date of the next compliance report. The respondent also included photographs of the premises that differed from the petitioner's photographs, in support of the engineer's assessment.

I credit the petitioner's evidence and Inspector Isaac's testimony. The garages that Inspector Isaac observed and which were shown in the petitioner's photographs show cracking walls with missing mortar joints, ceilings with holes, and no safety measures. It appears from the respondent's evidence that the respondent's engineer might not have inspected the same garages as Inspector Isaac. The petitioner's photographs and Inspector Isaac's testimony, taken together, warrant the violation's Class I designation. This summons is, therefore, upheld, and a penalty of $2500 is imposed.



10/02/2026 **10/02/2026**

Chin Ho Cheng, Judicial Hearing Officer **Date**