



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: 039138394R et al. (1 Summons) DEPT OF BUILDINGS, -against- GRAMERCY ARMS WEST, LLC Hearing Date: 06/01/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039138394R	Dismissed	02/13/2025	8602 4 Avenue Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B112	28-207.2.2	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The summons alleges the respondent violated NYC Administrative Code 28-207.2.2 by unlawfully continuing work while on notice of a Stop Work Order, a Class 1 violation, at 8602 4th Avenue Brooklyn on February 13, 2025. Phoebe Dossett, Esq., Nacmias Law Firm, PLLC, appeared for the respondent Gramercy Arms West, LLC. Deanna Lamberti, Esq., appeared for the petitioner DOB.

The petitioner relied on the issuing officer's sworn statement in the summons. The issuing officer stated that at time of inspection, observed 3 workers at the interior part of the restaurant on site doing construction while the property is on a partial stop work order issued on January 26, 2024. The petitioner provided 11 photos of the condition describe (Pet. Exh). The

petitioner also provided a photo of the posted Partial Stop Work Order, which states "Stop All work at exposure #4 exterior metal structure."

The respondent denied the charge. The respondent moved to dismiss the charge on the ground that there is no allegation made that supports a violation of the partial stop work order. The issuing officer states only that interior work was observed; this is supported by the petitioner's photos. The partial stop work order applied exclusively to exterior work.

The petitioner said it had nothing further.

The respondent's motion is granted. I find that neither the issuing officer's statement in the summons nor petitioner's evidence supports a finding of a violation of the partial stop work order. Accordingly, I find the petitioner failed to prove its Class 1 charge by a preponderance of the evidence. The summons is dismissed.



06/12/2026

06/12/2026

Anthony Feldmesser, Judicial Hearing Officer

Date