



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: 039143888N et al. (1 Summons) DEPT OF BUILDINGS, -against- GANGESHWAR, LLC Hearing Date: 06/15/2026 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
039143888N	Sustained	04/03/2025	235 MEEKER AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B139	28-301.1	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Phoebe Dosett appeared as the authorized representative of the Respondent. Petitioner appeared by Richard Mayer.

Respondent is charged with a violation of Administrative Code 28-301.1 for failing to comply with the cited code requirements, as described in the summons.

Petitioner relied on the summons.

Ms. Dosett stated that the summons should be dismissed because it fails to provide violating conditions. Ms. Dosett also

stated that there is a lack of notice because the issuing officer failed to state where in the building there is a lack of fire stopping. Ms. Dosett further stated that the place of occurrence is a seven (7) story fifty-two (52) unit building, and the violation details caused Respondent confusion because it does not say why the violating condition is not permitted. Ms. Dosett stated that the face of the summons is not specific and the Respondent cannot make an educated guess on what the lack of fire stopping is or where in the place of occurrence the condition is. Ms. Dosett stated that an essential fact would be where on the premises the violating condition occurred. Respondent submitted HPD information, DOB v. Beach Avenue Realty, LLC Appeal No. 2201621 (April 27, 2023), and OB v. Robin Simpson Appeal No. 2400218 (April 25, 2024).

Petitioner rebutted and stated that Respondent had the opportunity to respond so they know essential facts with sufficient information for Respondent to understand what the violating condition is. Petitioner also stated that the summons as written identified the time and place of occurrence as well as the code violated. Petitioner also stated that Respondent submitted a Certificate of Correction; therefore, Respondent was able to identify the violating condition.

I find that Petitioner provided Respondent with adequate notice of the violating condition for which she was charged. Per 48 RCNY 6-08(c)(2), the summons was required to provide "[a] clear and concise statement sufficient to inform the Respondent with reasonable certainty and clarity of the essential facts alleged to constitute the violation or the violations charged." In alleging "failure to maintain building in code-compliant manner; no fire stopping..." I find that that the summons provided Respondent with the required notice of the violating condition. I credit the issuing officer's sworn to statement on the summons and find that Respondent did not establish a valid defense or credibly rebut the charge.

Sustained.

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07/21/2026

Myeisha Rouff, Judicial Hearing Officer

Date