



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039143964X et al. (1 Summons) DEPT OF BUILDINGS, -against- BENZAKEN, NATHAN Hearing Date: 06/01/2026 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
039143964X	Sustained	04/04/2025	69 LAKE STREET Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B101	28-105.1	Sustained	\$2,500.00

Findings of Fact & Conclusions of Law

Frank Tamberino, Esq. appeared as the authorized representative of the Respondent. Petitioner appeared by Jennifer Clouden . IO T. Lucas Badge No. 3654.

Respondent is charged with a Class 1 violation of Administrative Code 28-105.1 for failing to comply with the cited code requirements, as described in the summons.

Petitioner submitted the overview of complaint, violating details, property profile overview, and photographs.

IO Lucas stated that she observed the entry door removed and conducted research on Zillow, Google Maps, and Google Earth which show that the entry removed from exposure no. 1, and put on exposure no. 4. IO Lucas also stated that she observed new brick and mortar closed up original doorway. IO Lucas also stated that Respondent was required to file permits with Department of Buildings and notify FDNY

IO Lucas stated that in regard to service she went to the front door, knocked and waited, and posted the summons.

On Cross IO Lucas stated that the photographs show the front door with a doorbell. IO Lucas also stated that she rang the bell and waited but cannot recall how long she waited. IO Lucas further stated that the doorway is facing exposure no. 1, but it was put on exposure no. 4; therefore, Respondent was required to have permits to remove the entry door.

Petitioner stated that the summons was issued as a Class1 because there is no documentation of structural change which is inherently dangerous because there is no engineer report. Petitioner also stated that Respondent had to reframe the doorway which required structural plans in case of fire.

In regard to service, I credit the issuing officer's sworn to affidavit of service and testimony that she rung the doorbell and waited before posting the summons. On the merits, I find that Respondent did not establish a valid defense or credibly rebut the violation. The \$2500 penalty is imposed.

Sustained.

	
07/06/2026	07/06/2026
Myeisha Rouff, Judicial Hearing Officer	Date