



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 039160491J et al. (1 summonses)

DEPT OF BUILDINGS,

-against-

SAT CONSTRUCTION SERVICES

Hearing Date : 6/11/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 0.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039160491J	Dismissed	09/16/2025	176 FROST STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2F7	BC 3301.7 (2014 code)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

The hearing was conducted by telephone on Court Call on June 11, 2026. Henry Pita, Esq. appeared for Petitioner. Frank Tamberino, Esq. appeared as counsel for Respondent.

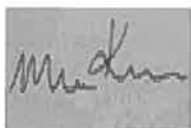
The summons charged a class 2 violation of § 3301.7 of the Building Code (BC) (2014 Code) for failure to maintain/display on site documents required by BC Chapter 33. Specifically, the issuing officer (IO) stated: "No EN drawing approved from DOB provided on the job site at the time of inspection.

Mr. Pita relied on the issuing officer's sworn statement.

Mr. Tamberino argued that Chapter 33 does not mention energy drawings or require energy drawings to be kept on site. He moved to dismiss and submitted case law in support of his position (Exhibit A).

Mr. Pita responded that he stood on the record.

BC § 3301.7 provides, in pertinent part, that "[w]here this chapter requires construction documents, drawings, inspection reports, logs, checklists, site safety plans, fire safety and evacuation plans, tenant protection plans, occupant protection plans, or monitoring plans, copies of such shall be maintained at the site for the duration of the job and made available to the commissioner upon request." BC § 3301.7 only applies to drawings that are required to be kept on site by other sections of BC Chapter 33. Petitioner failed to establish a violation because they did not identify any BC Chapter 33 provision that requires energy drawings. See DOB v. Key Developers Inc, Appeal No. 2101545 (January 27, 2022). The summons is dismissed.



06/23/2026

06/23/2026

Melissa Koven, Hearing Officer

Date