OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET NEW YORK,NY 11217	**Summons No:** 039166115N et al. (1 Summons) DEPT OF BUILDINGS, -against- 16 CHRISTOPHER STREET LLC **Hearing Date:** 09/21/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount:**$625.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039166115N	Sustained	11/06/2025	16 CHRISTOPHER STREET Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B263	28-204.4	Sustained	$625.00

Findings of Fact & Conclusions of Law

039166115N

Auth. Rep. NORA BROWN appeared for Respondent 16 CHRISTOPHER STREET LLC

Kimberly Manas (Buildings) appeared for Petitioner DOB. I/O F. Cooper (3706) appeared and testified.

On 11/6/25, 16 Christopher St, Manhattan, the I/O issued this summons alleging a violation of 28-204.4.

As to service, upon questioning by Ms. Manas, I/O Cooper testified he was at the premises for a period of time. I/O Cooper testified he spoke to a gentleman who stated he was a supervisor or some sort and he was not comfortable serving him because he could not explain his relationship to the building. I/O Cooper testified the building was vacant and no one was there the entire time. I/O Cooper testified the gentleman said he could take them but he did not have any credentials to prove who he was.

Upon cross-examination, I/O Cooper testified he did not explicitly ask if he was authorized to accept service. I/O Cooper testified he thought the building was vacant but the person he spoke to could be related to the construction. I/O Cooper testified he did not see anyone else on site. I/O Cooper testified he went to the restaurant next door to see if they were related but they were not. I/O Cooper testified there was no bell at the premises.

Upon redirect, I/O Cooper testified the person he spoke to was outside the building. I/O Cooper testified his car was parked outside the building and the gentleman walked up to him to start asking questions. I/O Cooper testified the gentleman said he would call to see if he could get some keys.

Ms. Brown argued the I/O did not effectuate proper service. Ms. Bronw argued the I/O did not ask if the person he spoke to was authorized to accept service on behalf of Respondent and did not mention the specific amount of time he waited to serve the summons.

Ms. Manas argued the gentleman spoken to was outside of the building and the I/O determined he had no association with the premises. Ms. Manas argued the I/O stated the premises was vacant by looking into the windows and therefore a reasonable attempt was made.

Here, I find service to be reasonable as the I/O made the reasonable determination that the person he spoke to was not authorized to accept service and is not required to serve just anyone who says they are without any credible showing that they are. Further, no one came in or out of the vacant building the entire time he spoke to the person so it was reasonable to assume it was vacant and that no one else would be coming in or out of the building.

Service is proper and reasonable here.

Ms. Brown noted if the summons was not dismissed for service, the underlying summons was corrected prior to the first hearing date and requested mitigation.

Ms. Manas noted the summons correction was dated 1/9/26 (FHD 1/15/26) and recommended the mitigated penalty. I concur as there was timely correction.

I credit the sworn testimony of the I/O and find that Petitioner has proven its case by a preponderance of the evidence.

Accordingly, the summons is SUSTAINED and the mitigated penalty will be imposed.



09/21/2026

09/21/2026

Joseph Fan, Judicial Hearing Officer **Date**