OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn,NY 11217	Summons# : 039166582M et al. (2 summonses) DEPT OF BUILDINGS, -against- KHALATYAN, DAVIT Hearing Date : 9/18/2026 Hearing Location : Remote Type of Hearing : By Telephone

Total Penalty Amount :	**3,300.00**	**Community Service(Hr):**	**Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039166582M	Sustained	11/10/2025	2827 BATCHELDER STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2C4	27- 3018(B)	Sustained	800.00

Total Penalty for Summons: **800.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039166583Y	Sustained	11/10/2025	2827 BATCHELDER STREET, Brooklyn

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

Total Penalty for Summons: 2,500.00

Findings of Facts & Conclusions of Law

The hearing was conducted by phone on September 18, 2026. Petitioner appeared through Taylor Barje, Esq. Respondent appeared through Michael Sargo, Esq.

Respondent received two summonses, each charged a Class 1 violation: 82M of AC 27-3018(b) and 83Y of 28-105.1.

Ms. Barje submitted Petitioner's evidence into the record on each. See Resp. Ex. A.

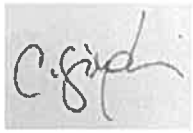
Mr. Sargo submitted a GC and an electrical permit into the record. See Resp. Ex. A. He indicated Respondent was challenging the class designation on each charge. He argued that, on 82M, the IO didn't gain access or see active work; evidence submitted doesn't show active work; permit submitted demonstrated the conditions were safe enough to be legalized and so they couldn't have been immediately hazardous; looking for amendment down.

Similarly on 83Y he argued that there was no active work and a permit was later pulled to legalize so the conditions couldn 't have been immediately hazardous.

Ms. Barje argued the IO doesn't need to see ongoing work and the cited work could be 100% complete, which is why IO completed historical photos in property. She moved to amend 82M to a Class 2 (B2C4) but stood on the other because the house was substantially changed, perhaps fully renovated at that point, and subsequent legalization doesn 't defeat the class designation at the time of issuance. Mr. Sargo did not object to the amendment. So amended. Thereafter Ms. Barje recommended the standard on each, including 82M as amended.

I credit the IO, establishing the prima facie case on each. I credit Petitioner's evidence. I credit Respondent's evidence. I do not find the subsequent legalization to prove the class designation improper on 83Y. I do not find the charges refuted otherwise or any meritorious defense established. Correction was not timely.

Therefore I find Respondent in violation and impose the standard penalty on each charge, 82M as amended.



09/18/2026 **09/18/2026**

Charles Simpkins, Hearing Officer **Date**