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# : 039171188K et al. (3 summonses)** **DEPT OF BUILDINGS,** **-against-** **LUBA SHAROV 2025 FAMILY TRUST** **Hearing Date :** 10/2/2026 **Hearing Location :** Remote **Type of Hearing :** By Telephone

Total Penalty Amount : 500.00	**Community Service(Hr):** Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039171188K	Dismissed	12/22/2025	2246 EAST 70 STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B384	ZR-Misc.	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039171189M	Sustained	12/22/2025	2246 EAST 70 STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B303	28-118.3.2	Sustained	500.00

Total Penalty for Summons: **500.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039171190J	Dismissed	12/22/2025	2246 EAST 70 STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B301	28-105.1	Dismissed	0.00

Total Penalty for Summons: **0.00**

Findings of Facts & Conclusions of Law

A hearing was conducted by telephone on October 2, 2026. Phoebe Dossett, Esq. appeared for the respondent. Deanna Lamberti, Esq. appeared for the petitioner. Summons ending in 88K alleged a violation of ZR-Misc. Summons ending in 89M alleged a violation of NYC Admin. Code sec. 28-118.3.2. Summons ending in 90J alleged a violation of NYC Admin. Code sec. 28-105.1.

Petitioner submitted an evidence packet that included photographs of the alleged violation. The respondent submitted an evidence packet of its own that included an appraisal of the premises, a deed, and satellite images of the premises.

As to summons ending in 89M, the respondent denied the allegations, noting that the condition cited in the violation already existed when the respondent purchased the property. While I credit the respondent's evidence, a preexisting condition is not a defense to a sec. 28-118.3.2 violation. I, therefore, uphold the summons, and impose a penalty of $500.

As to summons ending in 90J, the respondent's appraisal report, dated June 2017, and deed demonstrated that the door and brick wall were installed before the respondent purchased the property in July 2017. The petitioner offered no evidence or argument in rebuttal. I, therefore, credit the respondent's evidence and do not credit the summons allegations. This summons is, therefore, dismissed.

For summons ending in 88K, the respondent's evidence, including a satellite image and a neighbor's signed affidavit, demonstrate that the paved front yard existed prior to the zoning regulation of 2024. The petitioner offered no evidence or argument in rebuttal. I, therefore, credit the respondent's evidence and do not credit the summons allegations. This summons is dismissed.



10/02/2026

10/02/2026

Chin Ho Cheng, Hearing Officer **Date**