OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn,NY 11217	Summons# : 039172489Z et al. (1 summonses) DEPT OF BUILDINGS, -against- JEFFERSON 1308 REALTY LLC Hearing Date : 9/8/2026 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
039172489Z	Dismissed	01/05/2026	1308 JEFFERSON AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B2C4	27-3018(b)	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Petitioner NEW YORK CITY DEPARTMENT OF BUILDINGS (DOB) was represented by DOB attorney CARL KANEV, ESQ.

Respondent JEFFERSON 1308 REALTY LLC was represented by attorney MICHAEL ANTHONY SARGO, ESQ.

The Respondent is charged with a Class 2 violation of § 28-105.1, found in Title 28 of the Administrative Code of the City of New York (Code), for work without a permit.

In the summons, the Issuing Officer affirmed observing on January 5, 2026, at 1308 Jefferson Avenue in Brooklyn, "at exposure #1 closer to Wilson Avenue side, two AC unit condensers with one disconnect box attached to the façade. There are no job filings or permits as per DOB records for the work completed. Remedy: obtain permit."

In support, respondent submitted into evidence (1) the instant summons; (2) 13 color photographs taken contemporaneously by the Issuing Officer; (3) a notice to call for inspection; (4) a photograph of the posted instant summons on the front door.

I find the Issuing Officer's sworn-to summons narrative and the submitted documentary evidence to be credible as to their observations.

Respondent denied the violation, arguing that the cited violating condition pre-existed the respondent's purchase of the property.

In support, respondent submitted into evidence (1) a Deed showing the sale to the named respondent on May 2, 2025; (2) a Google Maps StreetView photograph of the cited premises taken on September 2024 showing the cited mini-split AC units; (3) another Google Maps StreetView photograph of the cited premises taken on May 2024 showing the cited mini-split AC units, in close-up; (4) another Google Maps StreetView photograph of the cited premises taken on September 2022 showing the cited mini-split AC units; (5) another Google Maps StreetView photograph of the cited premises taken on July 2021, showing no mini-split AC units; (6) NYC Department of Buildings Property Profile Overview showing the cited address is part of a range address 1302-1312 Jefferson Avenue, AKA 473 Wilson Avenue; and (7) DOB v. 8608 10 LLC, Appeal No. 2401338 [October 31, 2024], stating "To prevail on a pre-existing condition defense to a Code § 28-105.1 charge, a respondent must affirmatively establish that all unpermitted work cited in the summons occurred prior to its ownership of the premises."

I find the respondent's submitted documentary evidence to be credible and persuasive.

Petitioner made no recommendation.

I find that the cited violating conditions pre-existed the respondent's purchase of the cited property. The summons is DISMISSED.



09/10/2026 **09/10/2026**

Mark Goichman, Hearing Officer **Date**