



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# : 039524401L et al. (5 summonses)

DEPT OF BUILDINGS,

-against-

M BUILD BUILDERS INC

Hearing Date : 7/1/2025

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 7,400.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039524401L	Sustained	12/26/2023	372 BRADFORD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B201	28-105.1	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039524413Z	Sustained	12/26/2023	372 BRADFORD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B282	28-105.12.2	Sustained	1,250.00

Total Penalty for Summons: 1,250.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039524414K	Sustained	12/26/2023	372 BRADFORD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B111	BC 3304.3 & 1 RCNY 52-01(a)	Sustained	2,500.00

Total Penalty for Summons: 2,500.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039524415M	Dismissed	12/26/2023	372 BRADFORD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B1P7	Misc. BC—Chapter 33	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039524417X	Sustained	12/26/2023	372 BRADFORD STREET, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B223	BC 3307.1	Sustained	2,400.00

Total Penalty for Summons: 2,400.00

Findings of Facts & Conclusions of Law

This hearing was conducted via Court Call on July 1, 2025.

Attorney Phoebe Dossett appeared on behalf of Respondent, M BUILD BUILDERS INC. Petitioner DOB appeared by Deanna Burbridge. The hearing consisted of five Summonses.

Summons ending 01L alleges a violation of NYC AC Section 28-105.1 – Work without a permit.

Respondent denied the charge and offered no rebuttal evidence.

I credit the facts contained in the Summons. I find that a prima facie case for the charged section of law has been established.

Accordingly, the Summons is sustained, and the standard \$1250 penalty is imposed.

Summons ending 13Z alleges a violation of NYC AC Section 28-105.12.2 - Work does not conform to approved construction documents and/or approved amendments.

Respondent denied the charge and offered no rebuttal evidence.

I credit the facts contained in the Summons. I find that a prima facie case for the charged section of law has been established.

Accordingly, the Summons is sustained, and the standard \$1250 penalty is imposed.

Summons ending 14K alleges a violation of BC 3304.3 & 1 RCNY 52-01(a) - Failure to notify the Department prior to the commencement of earthwork.

Respondent denied the charge and offered no rebuttal evidence.

I credit the facts contained in the Summons. I find that a prima facie case for the charged section of law has been established.

Accordingly, the Summons is sustained, and the standard \$2500 penalty is imposed.

Summons ending 15M alleges a Misc. BC–Chapter 33 violation.

Respondent sought dismissal of the summons for failing to allege a specific BC provision and provided an Appeal No. 2400150 DOB v. Columbus/Amsterdam Associates March 28, 2024, in support of her argument.

Petitioner did not oppose respondent's motion.

Per § 6-08(c)(3) of Title 48 of the Rules of the City of New York (RCNY), a summons must contain "[i]nformation adequate to provide specific notification of the section or sections of the law, rule or regulation alleged to have been violated [.]". Here, the summons failed to provide adequate notice of the section of law alleged to be violated, as required by 48 RCNY § 6-08(c)(3).

Accordingly, the Summons is dismissed.

Summons ending 17X alleges a violation of BC 3307.1– Pedestrian protection does not meet code specifications.

Respondent denied the charge and offered no rebuttal evidence.

I credit the facts contained in the Summons. I find that a prima facie case for the charged section of law has been established.

Accordingly, the Summons is sustained, and the standard \$2400 penalty is imposed.

 07/02/2025	07/02/2025
William Ross, Hearing Officer	Date