



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 No: 039538650J et al. (1 Summons) DEPT OF BUILDINGS, -against- FRSS GROUP CORP Hearing Date: 06/22/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$5,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039538650J	Sustained	04/02/2025	143-31 HOOVER AVENUE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B115	BC 3301.2 & 27-1009(a)	Sustained	\$5,000.00

Findings of Fact & Conclusions of Law

Phoebe Dossett, Esq., appeared on behalf of the Respondent, FRSS Group Corp.

Deanna Burbidge, Esq., appeared on behalf of the Petitioner, DOB.

The summons alleges a Class 1 violation of NYC Building Code 3301.2 and Administrative Code 27-1009(a), failure to institute/maintain safety equipment measures or temporary construction. No guard rails and no safety measures for personal fall protection at active side observe ongoing work at attic and roof level with personnel without any means of personal fall protection system (harness, lanyard, etc, see OSHA 1926.501) and perimeters of leading edges above 1st floor without

guardrail system to code BC 3308.7 creating hazards of fall affecting life and safety.

Ms Dossett presented 13 photos from the site at the time of inspection. She stated that the workers shown in photo 1 were behind a constructed roof area and thus properly protected. She also noted that OSHA is not a basis for ECB violations under Chapter 33.

Ms Burbridge stated that photos 2 and 3 show an unenclosed perimeter which should be enclosed with a guardrail system and is not.

I find that the OSHA reference is not a basis for the violation, but rather BC 3308.7. I further find that the credible photos show that Respondent did not have a guardrail system in place at the cited property at the perimeters about the 1st floor.

The summons is sustained.

Sean Gralton

06/24/2026

06/24/2026

Sean Gralton, Judicial Hearing Officer

Date