



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: 039541423R et al. (1 Summons) DEPT OF BUILDINGS, -against- SISCA NORTHEAST ASSOCIATE Hearing Date: 06/25/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039541423R	Dismissed	06/14/2025	2064 GRAND CONCOURSE Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2P7	Misc. BC--Chapter 33	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The Department of Buildings (DOB) issued this Summons to SISCA Northeast Associate. The Summons charges a Class 2 or "major" violation of BC 3303.3 on the date and at the location indicated above for not having a required watchman when the site was closed although the building was "at the foundation stage." Carl Kanev, Esq., represented DOB at the remote hearing, and Phoebe Dossett, Esq., represented SISCA Northeast.

In addition to relying on the Summons, Mr. Kanev submitted an evidence package with photographs taken by the issuing inspector. Ms. Dossett said the foundation had not yet been laid, representing that her told her the foundation had not yet been poured and arguing that that statement was confirmed by the photographs. Mr. Kanev responded that the photographs

show a retaining wall, fitting, and rebar, to which Ms. Dossett responded that that meant the pouring was being set up and that no watchman was required until pouring actually occurred.

BC 3303.3 requires a watchman for a building this size (a part of the description that has not bee disputed) "from the time when the foundation is poured to when all work has concluded and the certificate of occupancy or temporary certificate of occupancy has been issued." There is no clear allegation in this Summons, or convincing evidence in the photographs, that pouring had actually commenced.

Accordingly, I find that DOB failed to make a prima facie case and, in fact, that there was no violation. This violation is dismissed.

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06/30/2026	06/30/2026
Sara Piovio, Judicial Hearing Officer	Date