

Phoebe Dossett, Esq., appeared on behalf of the Respondent, J&J Designs Inc.

Deanna Burbridge, Esq., appeared on behalf of the Petitioner, DOB, with the inspector Estel Jiminez, 3660

039545063K: The summons alleges a Class 1 violation of NYC Building Code 1020.2 (2008 code), 1023.2 (2014 code), 1024.2 (2022 code), failure to provide unobstructed exit passageway. I observed an active site with no visible safe entrance or exit violating BC 1024.2 debris and material obstructing whole exposure 1 of site. There was no door to enter site. Workers had to remove panels in order to gain access.

039545064M: The summons alleges a Class 2 violation of NYC Building Code 3307.7, job site fence not constructed or maintained pursuant to subsection. I observed no entry door on construction fence in violation of BC 3307.7. Site fence must have way of egress built into fence.

Ms Burbridge presented 9 photos of the alleged conditions. The inspector discussed the photos and testified substantially in compliance with the summonses.

Ms Dossett argued that the two summonses were duplicative as they were issued to the same respondent, at the same time, for the same location, and with the same elements of proof. She argued that the core of both summonses was that the fence had no gate.

Ms Burbridge argued that they were not duplicative as 63K referred to egress obstructed by debris and material and 64M referred to the defect in the fence, specifically the lack of a gate.

I find that the core elements of each summons are different, with 63K referring to debris and material obstructing egress, and 64M referring to a defect in the design and construction of the fence, specifically the lack of a gate.

With regards to 63K, Ms Dossett argued that the cited sections of law were intended to refer to interior egress passageways.

Ms Burbridge moved to amend the cited section of law to a Class 2 violation of 28-301.1.

Absent objection, the summons was amended.

Ms Dossett maintained her contention that the summonses are duplicative but made no further rebuttal.

The summons as amended is sustained.

With regards to 64M, Ms Dossett made no rebuttal beside her contention that the summonses are duplicative.

Ms. Dossett denied the summons but made no rebuttal.

The summons is sustained.



06/24/2026

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Sean Gralton, Hearing Officer

Date