



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**DECISION**

|                                                                                                            |                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons No: 039551002H et al. (1 Summons)</b><br><br><b>DEPT OF BUILDINGS,</b><br><br><b>-against-</b><br><br><b>XINYE CONSTRUCTION INC</b><br><br><b>Hearing Date: 06/05/2026</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| <b>Total Penalty Amount: \$0.00</b>          |
| <b>Community Service(Hr): Not Applicable</b> |

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b> |
|------------------|----------------------------|---------------------------|----------------------------|
| 039551002H       | Dismissed                  | 02/26/2026                | 4919 4 AVENUE Brooklyn     |

| <b>LINE<br/>ITEM</b> | <b>OATH<br/>CODE</b> | <b>CODE<br/>SECTION/RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|----------------------|----------------------|------------------------------|---------------|----------------|
| 1                    | B1P7                 | Misc. BC—Chapter 33          | Dismissed     | \$0.00         |

**Findings of Fact & Conclusions of Law**

Phoebe Dossett, Esq. appeared on behalf of Respondent XINYE Construction, Inc.

Deanna Burbridge, Esq. appeared on behalf of Petitioner, Dept. of Buildings.

Petitioner charges Misc. BC Chap 33. Class 1. Petitioner alleges misc. violations. Petitioner alleges observing a large electrical panel open with exposed and accessible breakers and wires with multiple connectors and connected extension cords near snow without any CAZ. Petitioner alleges similar conditions observed on multiple floors and locations. Petitioner states all work must be stopped within 10 ft. of all active electrical panels.

Ms. Dossett states respondent denies the allegation and moves to dismiss on the ground that petitioner's violation details allege general misc. violations of the Building Code rather than citing to a specific provision of it. She argues petitioner must cite to a specific provision of law in the narrative portion of the violation details to satisfy the notice requirement to respondent. She produced Appeal No. 2001387, DOB v. 1296 Sheridan Assoc. LP, 2/11/21, Appeal No. 2500010, DOB v. Koula Merousis, 2/27/25 and Appeal No. 2400150, DOB v. Columbus/Amsterdam Assoc., 3/28/24 in support. Ms. Burbridge did not rebut Ms. Dossett's arguments and made no recommendation.

I credit respondent's evidence that petitioner has failed to allege a specific provision of the Building Code and therefore has failed to sufficiently provide respondent notice of the section of law being charged as such I find this summons is defective. I do not credit petitioner's evidence and find respondent is not in violation.

Accordingly, this summons is dismissed.

*Deborah Mbabazi*

06/11/2026

06/11/2026

Deborah Mbabazi, Judicial Hearing Officer

Date