



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039552230Y et al. (1 Summons) DEPT OF BUILDINGS, -against- BRUKLYN BUILDERS INC Hearing Date: 06/04/2026 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
039552230Y	Dismissed	03/26/2026	303 EAST 44 STREET Manhattan

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

Findings of Fact & Conclusions of Law

The summons alleges that respondent committed a class 1 violation of the New York City Building Code Ch. 33 by having inadequate maintenance of vertical netting at multiple floor leading edge locations. It does not indicate a specific section that is alleged to have been violated, and the infraction code cited corresponds to a miscellaneous chapter 33 violation of the Building Code.

Frank Tamberino, attorney, appeared on behalf of Respondent, with Alexander Stratis observing. Cassie Rene appeared on behalf of the Department of Buildings.

Ms. Rene moved to amend the summons to a violation of Building Code section 3308.5. Mr. Tamberino objected, and moved to dismiss the summons as facially defective, citing NYC v. Koula Merousis (Appeal No. 2500010, February 27, 2025). In said decision, the Board dismissed a summons citing to ZR-Misc as facially defective and not subject to being amended.

I credit the allegations contained in the summons. I find that the summons is facially defective, as it fails to provide respondent with notice of the section of law that is alleged to have been violated, contrary to 48 RCNY 6-08. The summons is dismissed.

Ricardo Luiggi

06/11/2026

06/11/2026

Ricardo Luiggi, Judicial Hearing Officer

Date