



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: 039554021R et al. (1 Summons) DEPT OF BUILDINGS, -against- ALMA DESIGN INC. Hearing Date: 07/22/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,000.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039554021R	Sustained	05/12/2026	3202 EMMONS AVENUE Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B211	BC3307.7	Sustained	\$1,000.00

Findings of Fact & Conclusions of Law

The summons is sustained.

The Respondent, ALMA DESIGN INC., appeared by its counsel, Phoebe Dossett, Esq., Nacmias Law Firm, PLLC. The Petitioner, NYC DEPARTMENT OF BUILDINGS, appeared by its counsel, Daniel Brickman, Esq.

The summons alleges a Class 2 violation of NYC Building Code (BC) Section 3301.2 for a failure to safeguard all persons and property affected by construction activities. The Issuing Officer states in the violation details in the sworn summons that at an inactive jobsite with no workers present, the jobsite fence door was not adequately secured permitting unauthorized public

access into the jobsite creating a hazardous condition and contrary to code requirements.

Petitioner's counsel relied on the summons for Petitioner's main case and produced six (6) photographs of the jobsite (Px1-Px6).

Respondent's counsel noted that there was a second fence inside the jobsite fence as well as the walls of the existing building which prevented access to the site and which can be seen in Petitioner's photographs. Respondent's counsel stated that NYC BC Section BC 3307.7, Job site fence not constructed or maintained pursuant to subsection, was a more specific and appropriate section of law and requested that the summons be amended to that section.

Petitioner's counsel agreed. The motion is granted and the instant summons will be amended to NYC BC Section 3307.7.

Respondent's counsel denied the existence of the violating condition but did not produce any evidence or assert any affirmative defenses to the charge.

I find on the Petitioner's credible case that the violating condition described in the summons existed as a Class 2 violation and the standard penalty for a Class 2 violation is imposed.

The summons is sustained.

Jamin Sewell

07/24/2026

07/24/2026

Jamin Sewell, Judicial Hearing Officer

Date