OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET BROOKLYN,NY 11217	**Summons No:** 049659553L et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- YU XIANG **Hearing Date:** 08/31/2026 **Hearing Location:** Remote **Type of Hearing:** By Telephone

Total Penalty Amount: **$0.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049659553L	Dismissed	06/02/2026	24-35 BEACH CHANNEL DRIVE Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS2S	16-120 (A)	Dismissed	$0.00

Findings of Fact & Conclusions of Law

On June 2, 2026, the New York City Department of Sanitation issued Summons No. 049659553L to Yu Xiang ("the Respondent"), charging a violation of the New York City Administrative Code ("Code") Section 16-120(a), alleging an improper receptacle in front of 24-35 Beach Channel Drive, Queens, NY 11691. The Issuing Officer ("IO") stated that at 2:26 AM on June 2, 2026, "At T/P/O I did observe trash placed out for collection in bags and not in an official NYC Bin as required, or other means as authorized by DSNY. Go to bins.nyc to learn more." The summons lists the property as "Residential Properties."

On August 31, 2026, Nora Brown, authorized representative, appeared at hearing on behalf of the Respondent. No one from

the Department of Sanitation appeared.

The Respondent's representative entered a denial with no rebuttal.

Based on the evidence before me, the summons is dismissed, as the IO did not make out a prima facie 16-120(a) violation. Pursuant to an October 4, 2024, amendment to 1-02.1(a) of 16 RCNY, as of November 12, 2024, all buildings that receive DSNY collection pursuant to 16 RCNY 1-02(a) or collection from another city agency, other than residential buildings containing ten or more dwelling units, must set out any refuse at the curb for collection by the Department or another city agency in rigid receptacles with tight-fitting lids that are purchased from an authorized vendor. Moreover, per the website URL cited in the summons, "As of June 1, properties with 1-9 residential units are REQUIRED to use only official NYC Bins for trash set out."

Here, the summons did not include any information regarding the number of units in the Respondent's property. Therefore, the IO has not established a prima facie 16-120(a) violation.

Accordingly, the summons is dismissed.



09/02/2026

09/02/2026

Ashley Mitchell, Judicial Hearing Officer **Date**