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:** 049690501P et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- HUSAIN MURAD **Hearing Date:** 09/15/2026 **Hearing Location:** Remote **Type of Hearing:** By One-Click

Total Penalty Amount:**$50.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
049690501P	Sustained	04/24/2026	164-25 82 ROAD Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS26	A.C. 16-118(2)(A)	Sustained	$50.00

Findings of Fact & Conclusions of Law

The summons states that the issuing officer did observe piece of paper, tissue, wrappers scattered within the 18 inch curb line during the established routing hour of 8:00am-8:59am.

Michael Nacmias, the respondent's authorized representative, submitted a statement (Respondent's Exhibit A) online stating that the respondent denies the allegations. The submission states that the summons provides only a brief conclusory description and does not establish that the cited condition originated from or was the responsibility of the respondent.

Section 16-118(2)(a) of the New York City Administrative Code provides that every owner, lessee, tenant, occupant or person

in charge of any building or premises shall remove garbage, refuse, rubbish, litter, debris and other offensive material from the roadway extending one and one-half feet from the curbstone into the street.

I find credible the issuing officer's observations at the time the summons was issued. I find that the summons establishes a prima facie case.

I do not find the statement of the respondent's authorized representative credible. The statement did not rebut the observations of the issuing officer and did not establish a valid defense. The summons did not provide a conclusory description, it provided a specific description (piece of paper, tissue, wrappers) of what the issuing officer observed. It is not a valid defense that the litter did not emanate from the respondent's property. The law requires that an owner keep the street in front of the owner's property clean.

I find the respondent in violation.

09/15/2026 **09/15/2026**

James Welch, Judicial Hearing Officer **Date**