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:** 049833636H et al. (1 Summons) THE NEW YORK CITY DEPARTMENT OF SANITATION, -against- NG JENNIFER **Hearing Date:** 09/29/2026 **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
049833636H	Sustained	05/06/2026	251 Warren Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AS06	A.C. 16-118(2)(A)	Sustained	$50.00

Findings of Fact & Conclusions of Law

Michael Nacmias, Esq. appeared by electronic submission, dated August 4, 2026 (Resp. Exhibit A), as attorney for Respondent Jennfer Ng.

The summons was issued on May 6, 2026, at 6:36 p.m., and charges a violation of NYC Adm. Code § 16-118 (2) (a) for a large accumulation of wooden planks on the sidewalk in front of 251 Warren Street, Brooklyn, during the established routing hour of 6:00 p.m. to 6:59 p.m. The summons indicates the property is a 1-2 family residence.

Respondent's electronic submission claims that the summons fails to establish the planks belonged to Respondent or were

under her control.

The cited code section requires property owners to maintain the sidewalks abutting their property free from garbage, refuse, rubbish, litter, and debris. Petitioner established through the sworn summons that rubbish, litter, and debris, in the form of wooden planks, were accumulated on the sidewalk. This is a violation of the cited code section. Furthermore, items placed in front of a property are presumed to emanate from those premises.

Respondent is required to keep the cited area free of debris at all times, regardless of the source of debris. Respondent's written submission gives no evidence of the efforts she made to comply with the cited code section, nor does she deny that the cited condition existed at the date and time of the summons or that the debris came from her property. Petitioner does not need to show that the planks belonged to Respondent or that they were under her control. Rather, Respondent must provide evidence that they were not. Having failed to do this, I find that on the day of the summons, wooden planks were on the public sidewalk in front of Respondent's property during the regular routing hours and that they came from Respondent's premises.

Based on these findings, there is a violation of the cited code section and the summons is sustained.

09/29/2026 **09/29/2026**

Devin Rice, Judicial Hearing Officer **Date**