



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 0704148758 et al. (1 Summons) DEPT OF TRANSPORTATION, -against- DING FENG LIN CONSTRUCTION LLC Hearing Date: 06/18/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$250.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0704148758	Sustained	03/26/2026	37 Woodhull Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ADC9	34RCNY 2-14(F)(6)	Sustained	\$250.00

Findings of Fact & Conclusions of Law

The Summons alleges the Issuing Officer (IO) observed the respondent has a container on the street without having street protection under all the metal wheels at 0708 AM on 3/26/2026 in front of 37 Woodhull Street. Respondent ID by expired DOT permit # B162025356A69 expired on 12/26/2025.

Respondent appeared via a remote consolidated hearing by Nora Brown, authorized representative, and waived their right to an interpreter, attorney, and the presence of the IO. Petitioner appeared by Brijnanand Persaud.

The Petitioner relied on the testimony of the IO and documentary and photographic evidence. The IO stated that four

photographs were taken at the time of inspection depicting the condition of the container and its support system. The photographs include depictions of container wheels resting directly on the asphalt roadway without visible street protection beneath them, including one image showing a wheel on the asphalt surface, another showing a second wheel resting on asphalt, an overall view of the container, and an additional sidewalk perspective view of the container. Petitioner also submitted the relevant DOT permit record showing that Permit No. B162025356A69 expired on December 26, 2025 (admitted as Exhibit 1 through 7 respectively).

Respondent, through the authorized representative, denied the allegations in rebuttal.

Upon review of the record, the credible testimony of the IO is supported by contemporaneous photographic evidence showing the container wheels resting directly on the roadway surface without street protection under all metal wheels as alleged. Additionally, the documentary evidence establishes that the DOT permit had expired prior to the date of the inspection. Respondent's general denial, without supporting evidence, is insufficient to rebut the Petitioner's prima facie showing.

Accordingly, based upon the preponderance of the evidence, the Petitioner has established that the violation occurred as charged.

The Summons is sustained.

	
06/18/2026	06/18/2026
Patricia DeSalvo, Judicial Hearing Officer	Date



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
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DECISION

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET NEW YORK,NY 11217	Summons No: 0704148482 et al. (1 Summons) DEPT OF TRANSPORTATION, -against- DING FENG LIN CONSTRUCTION LLC Hearing Date: 06/18/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount:\$750.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0704148482	Sustained	03/26/2026	37 Woodhull Street Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	ADC4	AC 19- 123	Sustained	\$750.00

Findings of Fact & Conclusions of Law

The Summons alleges the Issuing Officer (IO) observed Respondent has a container on roadway at 0659AM on 3/26/2026 in front of 37 Woodhull Street without a active dot permit to make use of roadway or sidewalk, Respondent ID by expired DOT Permit # B022025357H58 3/22/2026.

Respondent appeared via a remote consolidated hearing by Nora Brown, authorized representative, and waived their right to an interpreter, attorney, and the presence of the IO. Petitioner appeared by Brijnanand Persaud.

Petitioner states the IO took four photographs of the containers. The first photograph shows the container from the sidewalk

perspective, while additional photographs (Exhibits 2 through 7) depict various views of the same container on the roadway. The Petitioner introduced these photographs into evidence as Petitioner's Exhibits 1 through 7. The Petitioner further stated that Respondent did not possess a valid or active permit authorizing placement or use of the container on the roadway at the time of the inspection.

Respondent, through the authorized representative, denied the allegations in rebuttal but did not submit documentary evidence or testimony to contradict the IO's observations or the photographic record.

Upon review of the entire record, the IO's observations are credible and are corroborated by the photographic evidence showing the container positioned on the roadway. The documentary evidence further establishes that the DOT permit identified by Respondent had expired prior to the date of the inspection, and no valid active permit was produced. Respondent's general denial, without supporting evidence, is insufficient to rebut Petitioner's prima facie case.

Accordingly, based upon a preponderance of the evidence, Petitioner has established that Respondent maintained a container on the roadway without a valid DOT permit at the time of the violation.

The Summons is sustained.

	
06/18/2026	06/18/2026
Patricia DeSalvo, Judicial Hearing Officer	Date