



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Frank Tamberino, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 0704193610 et al. (1 summonses)

DEPT OF TRANSPORTATION,

-against-

BLUEBUILD MGMT INC

Hearing Date : 7/22/2026

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 750.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0704193610	Sustained	04/29/2026	134 Avenue and 156 Street, Queens

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	ADQ9	34RCNY2-11(E)(16)(III)	Sustained	750.00

Total Penalty for Summons: 750.00

Findings of Facts & Conclusions of Law

Petitioner, NYC Department of Transportation appeared and was represented by Brij Persaud. Respondent, BLUEBUILD MGMT INC appeared and was represented by Attorney Frank Tamberino.

The summons alleges a violation of 34RCNY 2-09(F)(4)(XIV) for EXCEPT AS IN NY AC 19-152, FAILURE TO INSTALL PEDESTRIAN RAMP

Mr. Persaud rested on the summons and submitted an evidence packet including photos showing the violation, a copy of the CAR, and permit issued to Respondent. In response, Mr. Tamberino made a motion to dismiss based on duplicative summonses issued to the same location for the same violation. Mr. Persaud replied this summons is not duplicative because it is for a different ramp on a different corner. Mr. Persaud made a motion to amend the charge to a violation of 34RCNY2-11(E)(16)(III). In response, Mr. Tamberino said Respondent accepts the amended violation.

I find Petitioner established a prima facie case. I grant Petitioner's motion to amend. I credit the summons and Petitioner's evidence and find it establishes a violation. I find Respondent did not establish a defense to the amended charge and accepted the violation.

Accordingly, the summons is sustained.

	
07/22/2026	07/22/2026
Rachel Berger, Hearing Officer	Date