



**OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS**  
*Hearings Division*

**Decision**

|                                                                                                       |                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Frank Tamberino, Esq. - Nacmias Law Firm</b><br>592 Pacific Street 1st Floor<br>Brooklyn, NY 11217 | <b>Summons# : 0704193638 et al. (1 summonses)</b><br><br><b>DEPT OF TRANSPORTATION,</b><br><br><b>-against-</b><br><br><b>BLUEBUILD MGMT INC</b><br><br><b>Hearing Date : 7/22/2026</b><br><br><b>Hearing Location : Remote</b><br><br><b>Type of Hearing : By Telephone</b> |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                               |               |                               |                       |
|-------------------------------|---------------|-------------------------------|-----------------------|
| <b>Total Penalty Amount :</b> | <b>750.00</b> | <b>Community Service(Hr):</b> | <b>Not Applicable</b> |
|-------------------------------|---------------|-------------------------------|-----------------------|

| <b>SUMMONS #</b> | <b>SUMMARY DISPOSITION</b> | <b>DATE OF OCCURRENCE</b> | <b>PLACE OF OCCURRENCE</b>           |
|------------------|----------------------------|---------------------------|--------------------------------------|
| 0704193638       | Sustained                  | 04/29/2026                | 134 Avenue and 156 Street,<br>Queens |

| <b>LINE ITEM</b> | <b>OATH CODE</b> | <b>CODE SECTION / RULE</b> | <b>RESULT</b> | <b>PENALTY</b> |
|------------------|------------------|----------------------------|---------------|----------------|
| 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 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 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.

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