

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 submitted the approved plan and said the ramp was approved. Mr. Persaud reviewed the submission and replied that the measurements of the ramp do not comply with the measurements listed on the plan. 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 credit Respondent's evidence but reject Respondent's argument. 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