



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Frank Tamberino, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 0803906373 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 1030 OGDEN LLC Hearing Date: 08/18/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$1,200.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0803906373	Sustained	07/14/2026	1030 Ogden Ave Bronx

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AH3X	NYCHC 151.02(A)	Sustained	\$1,200.00

Findings of Fact & Conclusions of Law

A hearing was conducted by telephone on August 18, 2026. Frank Tamberino, Esq. appeared for the respondent. Christine Cargano appeared for the petitioner. The summons alleged a violation of NYC Health Code sec. 151.02(a) in that there were fresh rat droppings, a rat burrow, and two active rat runways at the premises; this was a third violation in the prior 24-month period with previous violations under 0803785171 and 0803847890.

The petitioner presented an evidence packet that included photographs of the rat burrow and runways.

The respondent presented an evidence packet that included a letter and invoices from its exterminator Families Exterminators,

Inc. The letter stated that the exterminator has placed new rodent stations and baited them with rodenticide. The letter further stated that it has been monitoring these stations on the first and third Thursday of each month. The exterminator's invoices show once monthly treatments between January 2026 and July 2026.

The petitioner, in rebuttal, stated that merely placing rodent stations is insufficient to address the presence of burrows and runways.

I agree with the petitioner here and find that the respondent has not exercised sufficient efforts to address the presence of rodents at its premises. The respondent provided no evidence that its building personnel has addressed the presence of burrows or runways by collapsing and sealing them. Mere placement of bait stations is indeed insufficient. I, therefore, credit the summons allegations, uphold the summons, and impose a penalty of \$1200.



08/18/2026

08/18/2026

Chin Ho Cheng, Judicial Hearing Officer

Date