OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

NORA BROWN - NACMIAS LAW FIRM PPLC 592 PACIFIC STREET Brooklyn,NY 11217	**Summons# : 0881338270 et al. (3 summonses)** **DEPARTMENT OF HEALTH & MENTAL HYGIENE,** **-against-** **COLUMBUS 60TH REALTY LLC** **Hearing Date :** 10/2/2026 **Hearing Location :** Remote **Type of Hearing :** By Telephone

Total Penalty Amount :	**0.00**	**Community Service(Hr):**	**Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0881338270	Dismissed	05/21/2026	45 WEST 60 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AHK2	ADMIN CODE 17-194.1(F)	Dismissed	0.00

Total Penalty for Summons: 0.00

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0881338289	Dismissed	05/21/2026	45 WEST 60 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AHK0	ADMIN CODE 17-194.1(F)	Dismissed	0.00

Total Penalty for Summons: **0.00**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0881338298	Dismissed	05/21/2026	45 WEST 60 STREET, Manhattan

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	AHK2	ADMIN CODE 17-194.1(F)	Dismissed	0.00

Total Penalty for Summons: **0.00**

Findings of Facts & Conclusions of Law

Respondent, COLUMBUS 60TH REALTY LLC, appeared via telephone in response to the above issued summonses. Respondent was represented by authorized representative, Nora Brown. Petitioner, Department of Health and Mental Hygiene, did not appear. The summonses allege a violation of NYC Administrative Code 17-194.1(F).

Ms. Brown moved to dismiss the summonses arguing that Petitioner was trying to apply the law retroactively. Ms. Brown testified that the cited statute went into effect 10 days after November 10, 2025. Ms. Brown testified that Petitioner could not enforce the law until May 2026. Ms. Brown testified that all the cited dates on the summonses were before May 2026. Ms. Brown testified that the penalty did not exist at the time the alleged violation occurred. Ms. Brown testified that Petitioner could not impose a penalty that did not exist at the time. Ms. Brown testified that the statute could only be applied proactively per New York State Law. In support of her testimony, Ms. Brown submitted "Matter of Regina Metro. Co., LLC v. New York State Div. of Hous. & Community Renewal" (2020). All Decisions. 1028 and two OATH decisions where summonses issued for the same section of law were dismissed.

I credit Respondent's testimony and evidence and find that Respondent established a valid defense. I find that Respondent credibly demonstrated that the cited section of law was not in effect at the time of the alleged infractions and therefore Respondent was not in violation.

Accordingly, these summonses are dismissed.



10/05/2026

10/05/2026

Trishawn Raffington, Hearing Officer **Date**