OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn,NY 11217	**Summons No: 0881340186 et al. (1 Summons)** **DEPARTMENT OF HEALTH & MENTAL HYGIENE,** **-against-** **BALKON REALTY 1 CO L P** **Hearing Date: 10/08/2026** **Hearing Location: Remote** **Type of Hearing: By Telephone**

Total Penalty Amount:**$200.00**

Community Service(Hr): **Not Applicable**

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0881340186	Sustained	06/22/2026	350 St. Marks Pl Staten Island

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AHK0	ADMIN CODE 17-194.1(F)	Sustained	$200.00

Findings of Fact & Conclusions of Law

Respondent, charged with a DOHMH violation, was represented by Mr. Michael Sarga, Esq. The DOHMH was represented by Ms. Patricia Costa.

Mr. Sarga moved to dismiss on the ground that the penalty stated was not in effect on the day of violation -- there was no penalty in effect. He submitted evidence during the hearing (Respondent's Exhibits).

Ms. Costa argued that her legal department determined that imposing a penalty in effect after the date of violation date is valid as per section Section 311 of NYC Health Code.

Section 311 of the Health Code authorizes the imposition of a penalty though no penalty existed at the time of violation.

Based on the foregoing, the violation must be sustained.



10/14/2026 **10/14/2026**

Mark Snyder, Judicial Hearing Officer **Date**