



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

**DECISION**

|                                                                  |                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MATTHEW WHITENING</b><br>592 PACIFIC STREET<br>BKLYN,NY 11217 | <b>Summons No: 039102121R et al. (1 Summons)</b><br><br><b>DEPT OF BUILDINGS,</b><br><br><b>-against-</b><br><br><b>159 SMITH LLC</b><br><br><b>Hearing Date: 12/06/2024</b><br><br><b>Hearing Location: Remote</b><br><br><b>Type of Hearing: By Telephone</b> |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |
|----------------------------------------------|
| Total Penalty Amount: <b>\$0.00</b>          |
| Community Service(Hr): <b>Not Applicable</b> |

| SUMMONS #  | SUMMARY DISPOSITION | DATE OF OCCURRENCE | PLACE OF OCCURRENCE       |
|------------|---------------------|--------------------|---------------------------|
| 039102121R | Dismissed           | 12/22/2023         | 159 SMITH STREET Brooklyn |

| LINE ITEM | OATH CODE | CODE SECTION/RULE             | RESULT    | PENALTY |
|-----------|-----------|-------------------------------|-----------|---------|
| 1         | B206      | 27-Misc, 28-Misc, BC<br>-Misc | Dismissed | \$0.00  |

**Findings of Fact & Conclusions of Law**

Matthew Whitening appeared for Respondent. Andrew Engel, Esq. appeared for Petitioner DOB.

Respondent was cited for violating AC 28-116.4 for failure to comply with the DOB requirement for permit sign off. The Inspector noted that Respondent's permit expired 6/29/2019. The job has not been signed off. It has been over 1 year since permit expired.

Mr. Engel relied on the summons.