



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Andre Autz, Esq. - Nacmias Law 592 Pacific Street Brooklyn, NY 11217	Summons No: 039103911X et al. (1 Summons) DEPT OF BUILDINGS, -against- 66-82 79TH STREET INC. Hearing Date: 01/07/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$0.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039103911X	Dismissed	01/22/2024	66-82 79 STREET Queens

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B2K6	28-210.1	Dismissed	\$0.00

Findings of Fact & Conclusions of Law

The sworn-to-summons alleges a class 1 violation of Administrative Code (Code) § 28-210.1 for residence altered contrary to certificate of occupancy or other document.

Attorney, Andre Autz, for Respondent, 66-82 79th Street Inc., was present. Cassie Rene appeared on behalf of the Petitioner, NYC Department of Buildings (DOB). Issuing officer, Inspector Kandasam, was present.

Petitioner's representative relied on the sworn-to-summons and photographs taken at the time and place of occurrence (Pet. 1).

Inspector Kandasam confirmed he is the issuing officer who issued the violation, the photographs were taken at the time and place of occurrence and provided testimony regarding his observations. Inspector Kandasam testified he observed, a three-family residence converted to a four-family by creating a class A apartment on the top floor.

Respondent's representative did not deny the allegations but argued Petitioner's failed to present any evidence such as a certificate of occupancy, lcards, or HPD records to establish a violation.

I find that the Respondent did present a valid legal defense. Petitioner failed to provide sufficient evidence to establish a violation of Code § 28-210.1. Accordingly, the summons is dismissed.



01/09/2025

01/09/2025

Paul Mendez, Hearing Officer

Date