



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Nacmias, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 014178375K et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- GATSBY ENTERPRISES Hearing Date: 08/27/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: **\$750.00**

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

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
014178375K	Sustained	03/22/2025	251 5th Avenue Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF19	VC19 .	Sustained	\$750.00

Findings of Fact & Conclusions of Law

Petitioner, NYC Fire Department, appeared by authorized representative, Ahmad Al-Kaysey;. Respondent, appeared by authorized representative, Frank Tamberino, Esq.

The summons sets forth a violation of 3 RCNY 109-02, and cited violating categories ("VC"), VC # 19 and that it is a repeat violation..

Mr. Al-Kaysey stated that he would rely on the allegations as set forth in the summons and recommended that a mitigated penalty be imposed as the records indicated timely correction.

Mr. Tamberino argued for a mitigated penalty due to timely correction and did not dispute that it is a repeat violation.

I find that the summons sets forth a prima facie case and that it is a repeat violation.. I find that the evidence established that the violation was corrected in a timely manner and that a mitigated penalty be imposed.

Accordingly, the summons is sustained and that the mandatory mitigated penalty for a repeat violation be imposed.

Aubrey Lees

09/15/2025

09/15/2025

Aubrey Lees, Hearing Officer

Date