



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

FRANK TAMBERINO, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 012173452J et al. (1 Summons) NEW YORK CITY FIRE DEPARTMENT, -against- CE INK 48 DE OWNER LLC Hearing Date: 12/24/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$935.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
012173452J	Sustained	09/07/2025	653 11TH AVENUE Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	BF35	VC12 .	Sustained	\$935.00

Findings of Fact & Conclusions of Law

The summons alleges that the respondent violated Fire Department rules (VC 12) by failing to provide and/or maintain required fire protection system and/or prevent unnecessary/unwarranted alarm(s) at 653 11th Avenue Manhattan on September 7, 2025. This is listed as a repeat violation. Frank Tamberino, Esq., Nacmias Law Firm, appeared for the respondent CE Ink 48 DE Owner LLC. Khadija Hassan, Fire Department representative, appeared for the petitioner FDNY.

The petitioner relied on the issuing officer's sworn statement in the summons.

The respondent acknowledged the prior violation.

The respondent provided a letter from Legion Fire, respondent's fire alarm service company, dated December 19, 2025 (Resp. Exh). The letter describes the nature of the alarm and corrective action taken on September 7, 2025. The scheduled hearing date appearing on the summons is December 24, 2025. After review of the respondent's evidence, the petitioner recommended the standard mitigated penalty for a repeat violation.

I credit the issuing officer's sworn statement in the summons. I find the respondent had an unwarranted alarm as described. I find that this is a repeat violation. The respondent did not deny the charge. I credit the respondent's documentary evidence showing that corrective action was taken before the scheduled hearing date appearing on this summons. Accordingly, I find the petitioner proved its charge by a preponderance of the evidence. I find the respondent is in violation. I impose the standard mitigated penalty for a repeat violation.



12/24/2025

12/24/2025

Anthony Feldmesser, Judicial Hearing Officer

Date