



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division
Decision

Phoebe Dossett, Esq. - Nacmias Law Firm, PLLC 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons# : 039169934K et al. (1 summonses) DEPT OF BUILDINGS, -against- RIBELLINO RICHARD Hearing Date : 2/18/2026 Hearing Location : Remote Type of Hearing : By Telephone
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Total Penalty Amount :	0.00	Community Service(Hr):	Not Applicable
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SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039169934K	Dismissed	12/10/2025	411 3 AVENUE, Brooklyn

LINE ITEM	OATH CODE	CODE SECTION / RULE	RESULT	PENALTY
1	B302	28-301.1	Dismissed	0.00

Total Penalty for Summons: 0.00

Findings of Facts & Conclusions of Law

Petitioner, DOB, appeared by Carl Kanev. Respondent appeared by Phoebe Dossett, Esq. Respondent is charged with a Class 3 violation for failing to maintain its building in a Code-compliant manner in that an illegal curb cut was observed.

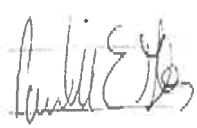
Respondent challenged service.

Respondent argued as follows: respondent is an individual and therefore, must either be served personally, or by substituted service, which is serving another individual , of suitable age and discretion, at respondent's actual place of business, dwelling or usual place of abode.

The issuing officer marked an erroneous box, for service of respondent personally, "Sam Cassidy". However, respondent's name is Richard Ribellino. However, the main defect in service is that respondent was purportedly served at 411 Third Ave, the place of occurrence, however, respondent contended that that location is neither respondent's home, dwelling, place of business or abode, since it is a warehouse. Accordingly, service was defective.

Mr. Kanev had no recommendation.

Respondent's motion to dismiss this summons based upon defective service is granted. I find that the subject location is a warehouse and respondent could not be served at a warehouse since a warehouse is not respondent's actual place of business, dwelling or usual place of abode. This summons is dismissed.

 02/25/2026	02/25/2026
Pauline Glaser, Judicial Hearing Officer	Date