



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

Hearings Division

Decision

Michael Nacmias, Esq. - Nacmias Law Firm
592 Pacific Street 1st Floor
Brooklyn, NY 11217

Summons# : 012133204Y et al. (1 summonses)

NEW YORK CITY FIRE DEPARTMENT,

-against-

2 NINTH AVENUE PARTNERS LLC

Hearing Date : 12/5/2024

Hearing Location : Remote

Type of Hearing : By Telephone

Total Penalty Amount : 935.00

Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
012133204Y	Sustained		Manhattan

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

Total Penalty for Summons: 935.00

Findings of Facts & Conclusions of Law

The hearing was conducted via telephone conference call on December 5, 2024.

Respondent 2 NINTH AVENUE PARTNERS LLC was represented by Matthew Whitening.

Eric Monk appeared on behalf of petitioner FDNY.

The summons charges: VC12

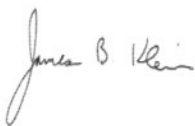
Petitioner stated that they rely on the summons and are waiting for evidence of correction.

Respondent testified that correction has been completed and submitted documents as evidence of correction. Respondent acknowledges the prior violation.

Petitioner reviewed respondent's documents, accepted that correction had been accomplished before the first hearing date, and recommended a mitigated penalty for a repeat violation.

I credit the summons details and I find that the petitioner has established a valid charge against the respondent. I credit respondent's testimony and evidence presented and find that the respondent has shown timely correction.

The summons is sustained and the mitigated penalty for a repeat violation is imposed.



12/05/2024

12/05/2024

James Klein, Hearing Officer

Date

