



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Michael Anthony Sargo, Esq. 592 Pacific Street Brooklyn, NY 11217	Summons No: 0871321249 et al. (1 Summons) DEPARTMENT OF HEALTH & MENTAL HYGIENE, -against- 568 BROADWAY PROPERT SCF MANAGEMENT LLC Hearing Date: 04/28/2026 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
0871321249	Sustained	02/10/2025	568 Manhattan

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	AH7A	24RCNY 31-02(A)	Sustained	\$500.00

Findings of Fact & Conclusions of Law

The Summons alleges the Respondent has one or more drinking water tanks (DWT) as shown by prior submission to the NYC Department of Health and Mental Hygiene (the NYC Health Department) of a DWT inspection report for 568 Broadway, Manhattan, NY 10012. A building owner must, by January 15 of each year, report to the NYC Health Department the results of the annual inspections conducted for each such drinking water tank during the previous calendar year as required by 24 RCNY 31-02(a). Based on a review of the NYS Health Department records, Respondent failed to submit the required 2024 DWT annual inspection report by January 15, 2025, for the above building address.

Respondent appeared via a remote hearing by their attorney Michael Anthony Sargo and waived their right to an interpreter and

presence of the Issuing Officer (IO).

Counsel submits a certificate of compliance for the testing of the water tank from March 2025 and is valid through March 2026. Exhibit A.

Section 31-02(a) of 24 RCNY requires that a building owner with one or more DWTs used to store potable water must, on or before January 15 of each year, report to DOHMH the results of the annual inspections conducted for each such DWT during the previous calendar year.

To refute the charge, Respondent is required to show proof that it submitted the inspection results to DOHMH by the above date.

Counsel relies on proof that the inspection and testing were completed in March 2025, after the January 15, 2025 reporting deadline.

While the submission establishes that the condition has been corrected, it does not satisfy the requirement of timely reporting under § 31-02(a). The rule imposes a clear and specific deadline, and compliance after that date does not negate liability.

Accordingly, Petitioner has established a prima facie case, and Respondent has not provided evidence sufficient to refute the violation.

Accordingly, the Summons is sustained.



04/28/2026

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Patricia DeSalvo, Judicial Hearing Officer

Date